

UNOFFICIAL VERSION

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WEDNESDAY, JUNE 17, 2020

SIXTY-FOURTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 3:00 p.m., and was called to order by Mr. Speaker McNally.

PRAYER

The proceedings were opened with prayer, via video, by Pastor Chuck Williams of First Baptist Church Covington in Covington, Tennessee, a guest of Senator Rose.

PLEDGE OF ALLEGIANCE

Senator Rose led the Senate in the Pledge of Allegiance to the Flag.

SALUTE TO THE FLAG OF TENNESSEE

Senator Rose led the Senate in the Salute to the Flag of Tennessee.

ROLL CALL

The roll call was taken with the following results:

Present 32

Senators present were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--32.

REFERRAL OF BILLS

Mr. Speaker McNally announced he had referred the following Senate Bills to the Committee on Delayed Bills: **Senate Bills Nos. 2940 and 2941.**

MOTION

Senator Johnson moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 547, 1131, 2093, 2126, 2275, 2278, 2395, 2459, 2621, 2714, 2785, 2867, 2881, 2900, 2904, 2910, 2911, 2912, 2914, 2916, 2920, 2921, 2926, 2927, 2928 and 2929**, and any other House Bills received Wednesday, June 17, 2020, be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 547 -- Criminal Procedure -- As introduced, restores the voting rights of persons convicted of certain infamous crimes upon receipt of a pardon or completion of any sentence of incarceration, parole, or probation. Amends TCA Section 2-2-102 and Title 40, Chapter 29.

House Bill No. 1131 -- Bail, Bail Bonds -- As introduced, creates a rebuttable presumption that a person charged with a bailable offense will not violate the conditions of their release if the offense is expungeable and the person has not been previously convicted of an offense that is ineligible for expunction. Amends TCA Title 40, Chapter 11 and Title 40, Chapter 7.

House Bill No. 2093 -- Children's Services, Dept. of -- As introduced, requires the department to publish the guidelines for the best practices for identifying and reporting signs of child abuse, child sexual abuse, and human trafficking in which the victim is a child on the department's website. Amends TCA Title 36; Title 37; Title 38; Title 39; Title 40 and Title 71.

House Bill No. 2126 -- Evidence -- As introduced, requires a local law enforcement agency to submit a sexual assault evidence collection kit to the state crime lab or other similar qualified laboratory for testing within 45 days of a victim filing a police report, rather than within 60 days. Amends TCA Title 38, Chapter 6 and Title 39, Chapter 13, Part 5.

House Bill No. 2275 -- Criminal Offenses -- As introduced, deletes the offense of impersonation of a licensed professional. Amends TCA Title 39, Chapter 16, Part 3.

House Bill No. 2278 -- Motor Vehicles -- As introduced, authorizes all-terrain vehicles and Class I and Class II off-highway vehicles that are registered, insured, and equipped with safety equipment, to be operated on state routes in Hickman County. Amends TCA Section 55-8-185.

House Bill No. 2395 -- Children -- As introduced, changes, from March 1 to February 1, the date by which the department of children's services must appear before the judiciary committees of the senate and the house of representatives for a review of the department's policies affecting children served by the department. Amends TCA Title 37; Title 39 and Title 40.

House Bill No. 2459 -- Local Government, General -- As introduced, authorizes local governments to add the cost of a criminal history background check for an applicant for a beer permit or adult-oriented establishment as a separate fee instead of including such cost in the application fee for the license or permit. Amends TCA Title 7, Chapter 51, Part 11 and Title 57, Chapter 5.

House Bill No. 2621 -- Firearms and Ammunition -- As introduced, clarifies that the term "crime of violence" in regard to weapons offenses includes aggravated rape of a child rather than especially aggravated rape of a child. Amends TCA Title 4; Title 16; Title 33; Title 36; Title 37; Title 38; Title 39; Title 40; Title 49 and Title 70.

House Bill No. 2714 -- Dentists and Dentistry -- As introduced, deletes prohibition on the appointment of persons to the board of dentistry who are employed by or are a member of the governing body of a dental school or related educational institution, or any dental supply business or laboratory. Amends TCA Title 63, Chapter 5.

House Bill No. 2785 -- Administrative Procedure (UAPA) -- As introduced, removes the limitation that only the chancery court of Davidson County is authorized to review a contested case hearing where a declaratory order is issued. Amends TCA Title 4.

House Bill No. 2867 -- Motor Vehicles -- As introduced, defines physician to mean a person licensed in this state and in good standing, for purposes of requiring an owner or lessee of a motor vehicle who is deaf or hard of hearing and who seeks to request a designation in the VTRS database by application coupled with a physician's statement. Amends TCA Title 55, Chapter 21 and Title 55, Chapter 4.

House Bill No. 2881 -- Teachers, Principals and School Personnel -- As introduced, creates a new practitioner license for persons seeking to become licensed teachers; requires the department of education, when issuing an educator license to an out-of-state educator, to issue a license that is equivalent to the license the educator possessed prior to moving to this state; requires the state board of education to approve alternative teacher endorsement and licensure pathways. Amends TCA Title 49.

House Bill No. 2900 -- Expunction -- As introduced, requires the court to notify a defendant at the time of sentencing if the conviction is for an expungeable offense and the time period after which a petition to expunge may be filed. Amends TCA Title 40, Chapter 32; Title 40, Chapter 35, Part 3 and Chapter 244 of the Public Acts of 2019.

House Bill No. 2904 -- Henderson County -- Subject to local approval, increases from 5 percent to 9 percent the hotel occupancy tax; changes the designations of the tax proceeds. Amends Chapter 98 of the Private Acts of 1983; as amended.

House Bill No. 2910 -- Utilities, Utility Districts -- As introduced, changes the compensation, from an amount not to exceed \$1,000 annually to an amount not to exceed \$200 monthly, for the board of directors of the Reelfoot Lake regional utility and planning district. Amends Chapter 222 of the Public Acts of 1983.

House Bill No. 2911 -- Sharon -- Subject to local approval, changes the title of marshal to police chief; removes the police chief's duty to collect taxes; removes the recorder and treasurer and police chief's term of one year; removes antiquated language regarding jails. Amends Chapter 177 of the Acts of 1901; as amended.

House Bill No. 2912 -- Wilson County -- Subject to local approval, authorizes the judge of the Court of General Sessions of Wilson County, Division III, to interchange with the judges of the Circuit and Chancery Courts in Wilson County for matters of domestic relations and probate. Amends Chapter 34 of the Private Acts of 1945; as amended.

House Bill No. 2914 -- Dickson County -- Subject to local approval, specifies that the General Sessions Court Clerk must serve as the Clerk of the Juvenile Court of Dickson County rather than the County Clerk. Amends Chapter 267 of the Private Acts of 1982; as amended.

House Bill No. 2916 -- Portland -- Subject to local approval, revises charter provisions relating to contracts procured by the City; authorizes city council to fix the time and place of regular meetings of the council; requires a two-thirds vote of the city council to adopt an ordinance or resolution where specified; clarifies that certain ordinances may require a minimum time between two readings prior to becoming effective. Amends Chapter 568 of the Private Acts of 1939; as amended.

House Bill No. 2920 -- Portland -- Subject to local approval, changes, from May to November, the election for the mayor and aldermen; clarifies that the mayor and city council appoint officers of the county by a majority vote; allows the mayor to appoint all standing committees as he deems proper. Amends Chapter 568 of the Private Acts of 1939; as amended.

House Bill No. 2921 -- Parsons -- Subject to local approval, authorizes the appointment of a city administrator; shifts certain duties of the mayor to the city administrator. Amends Chapter 182 of the Private Acts of 1998; as amended.

House Bill No. 2926 -- Madison County -- Subject to local approval, authorizes the county commission to use funds allocated to the commission from the hotel occupancy tax to make economic development grants to governmental entities and public corporations to promote community economic development, tourism, and recreational activities. Amends Chapter 324 of the Private Acts of 1980; as amended.

House Bill No. 2927 -- Haywood County -- Subject to local approval, exempts one vehicle owned by an active member of a volunteer fire department of a volunteer local rescue squad from the local wheel tax. Amends Chapter 324 of the Private Acts of 1961.

House Bill No. 2928 -- Ashland City -- Subject to local approval, authorizes the mayor to designate a financial director to assist with the budget and manage all financial affairs of the city; authorizes city recorder to have a designee in the city recorder's absence at meetings. Amends Chapter 121 of the Private Acts of 2004; as amended.

House Bill No. 2929 -- Franklin -- Subject to local approval, authorizes the city to extend the terms of leases for real property owned by the city from thirty years or less to up to fifty years or less. Amends Chapter 79 of the Acts of 1903; as amended.

MOTION

Senator Johnson moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 1352 through 1354 and 1357 through 1399**; and **Senate Resolution No. 182** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 1352 by Senator Massey.
Memorials, Recognition -- Americans with Disabilities Act, thirtieth anniversary.

Senate Joint Resolution No. 1353 by Senator Roberts.
Memorials, Recognition -- The Bakery Box and It's A Pear Catering.

Senate Joint Resolution No. 1354 by Senator Yarbro.
Memorials, Death -- Anna Shepherd.

Senate Joint Resolution No. 1357 by Senator Southerland.
Memorials, Recognition -- Phelan Story, Maytag Dependable Leader Award.

Senate Joint Resolution No. 1358 by Senator Southerland.
Memorials, Death -- Judge John K. Wilson.

Senate Joint Resolution No. 1359 by Senator Stevens.
Memorials, Professional Achievement -- Jay Yeargin, 2020 Tennessee Farmer of the Year.

Senate Joint Resolution No. 1360 by Senator Massey.

Memorials, Academic Achievement -- Joy Griffin, Salutatorian, Austin-East Magnet High School.

Senate Joint Resolution No. 1361 by Senator Massey.

Memorials, Academic Achievement -- Samaya Baljepally, Valedictorian, Bearden High School.

Senate Joint Resolution No. 1362 by Senator Massey.

Memorials, Academic Achievement -- Parker Martz, Salutatorian, Bearden High School.

Senate Joint Resolution No. 1363 by Senator Massey.

Memorials, Academic Achievement -- Gracie Taylor, Valedictorian, Career Magnet Academy.

Senate Joint Resolution No. 1364 by Senator Massey.

Memorials, Academic Achievement -- Victoria Sozonyuk, Salutatorian, Career Magnet Academy.

Senate Joint Resolution No. 1365 by Senator Massey.

Memorials, Academic Achievement -- Eva Tolliver, Valedictorian, Carter High School.

Senate Joint Resolution No. 1366 by Senator Massey.

Memorials, Academic Achievement -- Faith Andrew, Co-Salutatorian, Carter High School.

Senate Joint Resolution No. 1367 by Senator Massey.

Memorials, Academic Achievement -- Abygale Dixon, Co-Salutatorian, Carter High School.

Senate Joint Resolution No. 1368 by Senator Massey.

Memorials, Academic Achievement -- Joe Brown, Co-Valedictorian, Central High School.

Senate Joint Resolution No. 1369 by Senator Massey.

Memorials, Academic Achievement -- Lauren Turrentine, Co-Valedictorian, Central High School.

Senate Joint Resolution No. 1370 by Senator Massey.

Memorials, Academic Achievement -- Amanda McDonald, Salutatorian, Central High School.

Senate Joint Resolution No. 1371 by Senator Massey.

Memorials, Academic Achievement -- Alisha Soni, Valedictorian, Farragut High School.

Senate Joint Resolution No. 1372 by Senator Massey.

Memorials, Academic Achievement -- Prajwal Jagadish, Co-Salutatorian, Farragut High School.

Senate Joint Resolution No. 1373 by Senator Massey.

Memorials, Academic Achievement -- Jessey Yang, Co-Salutatorian, Farragut High School.

Senate Joint Resolution No. 1374 by Senator Massey.

Memorials, Academic Achievement -- Chloe Hammock, Valedictorian, Fulton High School.

Senate Joint Resolution No. 1375 by Senator Massey.

Memorials, Academic Achievement -- Thomas Barnett, Co-Salutatorian, Fulton High School.

Senate Joint Resolution No. 1376 by Senator Massey.

Memorials, Academic Achievement -- Hannah Hobby, Co-Salutatorian, Fulton High School.

Senate Joint Resolution No. 1377 by Senator Massey.

Memorials, Academic Achievement -- Micayla Domingues, Co-Valedictorian, Gibbs High School.

Senate Joint Resolution No. 1378 by Senator Massey.

Memorials, Academic Achievement -- Nisi Powers, Co-Valedictorian, Gibbs High School.

Senate Joint Resolution No. 1379 by Senator Massey.

Memorials, Academic Achievement -- Savanna Leath, Salutatorian, Gibbs High School.

Senate Joint Resolution No. 1380 by Senator Massey.

Memorials, Academic Achievement -- Carly Minhinnett, Valedictorian, Halls High School.

Senate Joint Resolution No. 1381 by Senator Massey.

Memorials, Academic Achievement -- Justin McKnight, Co-Salutatorian, Halls High School.

Senate Joint Resolution No. 1382 by Senator Massey.

Memorials, Academic Achievement -- Gavin Pretorius, Co-Salutatorian, Halls High School.

Senate Joint Resolution No. 1383 by Senator Massey.

Memorials, Academic Achievement -- Victoria Hart, Valedictorian, Hardin Valley Academy.

Senate Joint Resolution No. 1384 by Senator Massey.

Memorials, Academic Achievement -- Benjamin Hancock, Salutatorian, Hardin Valley Academy.

Senate Joint Resolution No. 1385 by Senator Massey.

Memorials, Academic Achievement -- Noah Kelley, Valedictorian, Karns High School.

Senate Joint Resolution No. 1386 by Senator Massey.

Memorials, Academic Achievement -- Breton Stanley, Salutatorian, Karns High School.

Senate Joint Resolution No. 1387 by Senator Massey.

Memorials, Academic Achievement -- Raymond Wysmierski, Co-Valedictorian, L&N STEM Academy.

Senate Joint Resolution No. 1388 by Senator Massey.

Memorials, Academic Achievement -- Alex Yarkhan, Co-Valedictorian, L&N STEM Academy.

Senate Joint Resolution No. 1389 by Senator Massey.

Memorials, Academic Achievement -- Logan O'Neal, Co-Salutatorian, L&N STEM Academy.

Senate Joint Resolution No. 1390 by Senator Massey.

Memorials, Academic Achievement -- Josephine Bresler, Co-Salutatorian, L&N STEM Academy.

Senate Joint Resolution No. 1391 by Senator Massey.

Memorials, Academic Achievement -- Robert Pass, Valedictorian, Powell High School.

Senate Joint Resolution No. 1392 by Senator Massey.

Memorials, Academic Achievement -- Christopher Conway, Co-Salutatorian, Powell High School.

Senate Joint Resolution No. 1393 by Senator Massey.

Memorials, Academic Achievement -- Savannah Shelley, Co-Salutatorian, Powell High School.

Senate Joint Resolution No. 1394 by Senator Massey.

Memorials, Academic Achievement -- Adam McDaniel, Valedictorian, South-Doyle High School.

Senate Joint Resolution No. 1395 by Senator Massey.

Memorials, Academic Achievement -- Ava Mosadegh, Salutatorian, South-Doyle High School.

Senate Joint Resolution No. 1396 by Senator Massey.

Memorials, Academic Achievement -- Iris Zaretski, Valedictorian, West High School.

Senate Joint Resolution No. 1397 by Senator Massey.

Memorials, Academic Achievement -- Reed Cooper, Co-Salutatorian, West High School.

Senate Joint Resolution No. 1398 by Senator Massey.

Memorials, Academic Achievement -- Lucy Page, Co-Salutatorian, West High School.

Senate Joint Resolution No. 1399 by Senator Massey.

Memorials, Academic Achievement -- Eliza Croom, Valedictorian, Austin-East Magnet High School.

Senate Resolution No. 182 by Senator Yarbro.

Memorials, Professional Achievement -- Dr. Kathryn Edwards, 2020 John Howland Award.

MOTION

Senator Johnson moved, pursuant to Rule 21, **House Joint Resolutions Nos. 1203, 1223 through 1228 and 1231 through 1241; Senate Joint Resolution No. 1351; and Senate Resolutions Nos. 178 and 179** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 1203 -- Memorials, Recognition -- Taiwan's response to COVID-19.

The Speaker announced that he had referred House Joint Resolution No. 1203 to the Committee on Finance, Ways and Means.

House Joint Resolution No. 1223 -- Memorials, Retirement -- Kathy McLean.

The Speaker announced that he had referred House Joint Resolution No. 1223 to the Committee on Calendar.

House Joint Resolution No. 1224 -- Memorials, Recognition -- Erin Brooke Welch, State FFA President.

The Speaker announced that he had referred House Joint Resolution No. 1224 to the Committee on Calendar.

House Joint Resolution No. 1225 -- Memorials, Recognition -- Tennessee National Guard 278th Armored Cavalry Regiment.

The Speaker announced that he had referred House Joint Resolution No. 1225 to the Committee on Calendar.

House Joint Resolution No. 1226 -- Memorials, Sports -- South Side High School Hawks basketball team.

The Speaker announced that he had referred House Joint Resolution No. 1226 to the Committee on Calendar.

House Joint Resolution No. 1227 -- Memorials, Recognition -- Greeneville Woman's Club, 50th Annual Holiday Bazaar.

The Speaker announced that he had referred House Joint Resolution No. 1227 to the Committee on Calendar.

House Joint Resolution No. 1228 -- Memorials, Personal Occasion -- Luna B. Cantrell, 100th birthday.

The Speaker announced that he had referred House Joint Resolution No. 1228 to the Committee on Calendar.

House Joint Resolution No. 1231 -- Memorials, Retirement -- Robin Roberts.

The Speaker announced that he had referred House Joint Resolution No. 1231 to the Committee on Calendar.

House Joint Resolution No. 1232 -- Memorials, Professional Achievement -- Kayla Jenkins, George Foster Award and Hicks Outstanding New Extension Worker Award.

The Speaker announced that he had referred House Joint Resolution No. 1232 to the Committee on Calendar.

House Joint Resolution No. 1233 -- Memorials, Academic Achievement -- Parker Martz, Salutatorian, Bearden High School.

The Speaker announced that he had referred House Joint Resolution No. 1233 to the Committee on Calendar.

House Joint Resolution No. 1234 -- Memorials, Academic Achievement -- Samaya Baljepally, Valedictorian, Bearden High School.

The Speaker announced that he had referred House Joint Resolution No. 1234 to the Committee on Calendar.

House Joint Resolution No. 1235 -- Memorials, Professional Achievement -- Dr. Nancy Williamson, University of Tennessee Educators Hall of Honor.

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The Speaker announced that he had referred House Joint Resolution No. 1235 to the Committee on Calendar.

House Joint Resolution No. 1236 -- Memorials, Congratulations -- Commend the legislature's efforts to include non-discrimination and race relations information in the legislature's workplace training programs.

The Speaker announced that he had referred House Joint Resolution No. 1236 to the Committee on Calendar.

House Joint Resolution No. 1237 -- Memorials, Interns -- Makayla D. Martin.

The Speaker announced that he had referred House Joint Resolution No. 1237 to the Committee on Calendar.

House Joint Resolution No. 1238 -- Memorials, Retirement -- Dr. Judy Webb.

The Speaker announced that he had referred House Joint Resolution No. 1238 to the Committee on Calendar.

House Joint Resolution No. 1239 -- Memorials, Recognition -- Dale P. Bowling.

The Speaker announced that he had referred House Joint Resolution No. 1239 to the Committee on Calendar.

House Joint Resolution No. 1240 -- Memorials, Death -- Anna J. Shepherd.

The Speaker announced that he had referred House Joint Resolution No. 1240 to the Committee on Calendar.

House Joint Resolution No. 1241 -- Memorials, Retirement -- Holly H. Jaynes.

The Speaker announced that he had referred House Joint Resolution No. 1241 to the Committee on Calendar.

Senate Joint Resolution No. 1351 -- Memorials, Recognition -- Ramona Hood.

The Speaker announced that he had referred Senate Joint Resolution No. 1351 to the Committee on Calendar.

Senate Resolution No. 178 -- Memorials, Recognition -- Reverend Dr. Gina M. Stewart.

The Speaker announced that he had referred Senate Resolution No. 178 to the Committee on Calendar.

Senate Resolution No. 179 -- General Assembly, Statement of Intent or Position -- Urges the Department of Health to establish programs and conduct studies relative to Sickle Cell Disease and designates September 2020 as Sickle Cell Disease Awareness Month in Tennessee.

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The Speaker announced that he had referred Senate Resolution No. 179 to the Committee on Health and Welfare.

MOTION

Senator Johnson moved that Rules 26, 38 and 44 be suspended for the purpose of allowing the Calendars for Wednesday, June 17, 2020 to be considered timely, which motion prevailed.

NOTICES

MESSAGE FROM THE HOUSE

June 17, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2935; substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 17, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2932; substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 17, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2931; substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MOTION

Senator Gilmore moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Resolution No. 186**, out of order, which motion prevailed.

INTRODUCTION OF RESOLUTION

Senate Resolution No. 186 by Senator Gilmore.
Memorials, Death -- Dr. Reavis L. Mitchell, Jr.

On motion of Senator Gilmore, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Resolution No. 186** was adopted.

A motion to reconsider was tabled.

MOTION

Senator Stevens moved that Rule 37 be suspended for the immediate consideration of **Senate Joint Resolution No. 1359**, out of order, which motion prevailed.

RESOLUTION LYING OVER

Senate Joint Resolution No. 1359 by Senator Stevens.

Memorials, Professional Achievement -- Jay Yeargin, 2020 Tennessee Farmer of the Year.

On motion of Senator Stevens, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 1359** was adopted.

A motion to reconsider was tabled.

MOTION

Senator Akbari moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Resolution No. 183**, out of order, which motion prevailed.

INTRODUCTION OF RESOLUTION

Senate Resolution No. 183 by Senator Akbari.

Memorials, Recognition -- The Emanuel Nine.

On motion of Senator Akbari, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Resolution No. 183** was adopted.

A motion to reconsider was tabled.

CONSENT CALENDAR

Senate Joint Resolution No. 1343 -- Memorials, Academic Achievement -- Zackary Edward Morgan, Salutatorian, Station Camp High School.

Senate Joint Resolution No. 1344 -- Memorials, Academic Achievement -- Sophia Carmel Edwards, Valedictorian, Station Camp High School.

Senate Joint Resolution No. 1346 -- Memorials, Recognition -- Donna and Tom Sullivan.

Senate Joint Resolution No. 1347 -- Memorials, Interns -- Lexi Bramer.

Senate Joint Resolution No. 1348 -- Memorials, Death -- Douglas Wayne Buckles.

Senate Joint Resolution No. 1349 -- Memorials, Sports -- Coach Jason Shay.

Senate Joint Resolution No. 1350 -- Memorials, Recognition -- Tanya Tucker, Grammy Award for Best Country Album.

Senate Joint Resolution No. 1351 -- Memorials, Recognition -- Ramona Hood.

Senate Joint Resolution No. 1360 -- Memorials, Academic Achievement -- Joy Griffin, Salutatorian, Austin-East Magnet High School.

Senate Joint Resolution No. 1361 -- Memorials, Academic Achievement -- Samaya Baljepally, Valedictorian, Bearden High School.

Senate Joint Resolution No. 1362 -- Memorials, Academic Achievement -- Parker Martz, Salutatorian, Bearden High School.

Senate Joint Resolution No. 1363 -- Memorials, Academic Achievement -- Gracie Taylor, Valedictorian, Career Magnet Academy.

Senate Joint Resolution No. 1364 -- Memorials, Academic Achievement -- Victoria Sozonyuk, Salutatorian, Career Magnet Academy.

Senate Joint Resolution No. 1365 -- Memorials, Academic Achievement -- Eva Tolliver, Valedictorian, Carter High School.

Senate Joint Resolution No. 1366 -- Memorials, Academic Achievement -- Faith Andrew, Co-Salutatorian, Carter High School.

Senate Joint Resolution No. 1367 -- Memorials, Academic Achievement -- Abygale Dixon, Co-Salutatorian, Carter High School.

Senate Joint Resolution No. 1368 -- Memorials, Academic Achievement -- Joe Brown, Co-Valedictorian, Central High School.

Senate Joint Resolution No. 1369 -- Memorials, Academic Achievement -- Lauren Turrentine, Co-Valedictorian, Central High School.

Senate Joint Resolution No. 1370 -- Memorials, Academic Achievement -- Amanda McDonald, Salutatorian, Central High School.

Senate Joint Resolution No. 1371 -- Memorials, Academic Achievement -- Alisha Soni, Valedictorian, Farragut High School.

Senate Joint Resolution No. 1372 -- Memorials, Academic Achievement -- Prajwal Jagadish, Co-Salutatorian, Farragut High School.

Senate Joint Resolution No. 1373 -- Memorials, Academic Achievement -- Jessey Yang, Co-Salutatorian, Farragut High School.

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Senate Joint Resolution No. 1374 -- Memorials, Academic Achievement -- Chloe Hammock, Valedictorian, Fulton High School.

Senate Joint Resolution No. 1375 -- Memorials, Academic Achievement -- Thomas Barnett, Co-Salutatorian, Fulton High School.

Senate Joint Resolution No. 1376 -- Memorials, Academic Achievement -- Hannah Hobby, Co-Salutatorian, Fulton High School.

Senate Joint Resolution No. 1377 -- Memorials, Academic Achievement -- Micayla Domingues, Co-Valedictorian, Gibbs High School.

Senate Joint Resolution No. 1378 -- Memorials, Academic Achievement -- Nisi Powers, Co-Valedictorian, Gibbs High School.

Senate Joint Resolution No. 1379 -- Memorials, Academic Achievement -- Savanna Leath, Salutatorian, Gibbs High School.

Senate Joint Resolution No. 1380 -- Memorials, Academic Achievement -- Carly Minhinnett, Valedictorian, Halls High School.

Senate Joint Resolution No. 1381 -- Memorials, Academic Achievement -- Justin McKnight, Co-Salutatorian, Halls High School.

Senate Joint Resolution No. 1382 -- Memorials, Academic Achievement -- Gavin Pretorius, Co-Salutatorian, Halls High School.

Senate Joint Resolution No. 1383 -- Memorials, Academic Achievement -- Victoria Hart, Valedictorian, Hardin Valley Academy.

Senate Joint Resolution No. 1384 -- Memorials, Academic Achievement -- Benjamin Hancock, Salutatorian, Hardin Valley Academy.

Senate Joint Resolution No. 1385 -- Memorials, Academic Achievement -- Noah Kelley, Valedictorian, Karns High School.

Senate Joint Resolution No. 1386 -- Memorials, Academic Achievement -- Breton Stanley, Salutatorian, Karns High School.

Senate Joint Resolution No. 1387 -- Memorials, Academic Achievement -- Raymond Wysmierski, Co-Valedictorian, L&N STEM Academy.

Senate Joint Resolution No. 1388 -- Memorials, Academic Achievement -- Alex Yarkhan, Co-Valedictorian, L&N STEM Academy.

Senate Joint Resolution No. 1389 -- Memorials, Academic Achievement -- Logan O'Neal, Co-Salutatorian, L&N STEM Academy.

Senate Joint Resolution No. 1390 -- Memorials, Academic Achievement -- Josephine Bresler, Co-Salutatorian, L&N STEM Academy.

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Senate Joint Resolution No. 1391 -- Memorials, Academic Achievement -- Robert Pass, Valedictorian, Powell High School.

Senate Joint Resolution No. 1392 -- Memorials, Academic Achievement -- Christopher Conway, Co-Salutatorian, Powell High School.

Senate Joint Resolution No. 1393 -- Memorials, Academic Achievement -- Savanah Shelley, Co-Salutatorian, Powell High School.

Senate Joint Resolution No. 1394 -- Memorials, Academic Achievement -- Adam McDaniel, Valedictorian, South-Doyle High School.

Senate Joint Resolution No. 1395 -- Memorials, Academic Achievement -- Ava Mosadegh, Salutatorian, South-Doyle High School.

Senate Joint Resolution No. 1396 -- Memorials, Academic Achievement -- Iris Zaretski, Valedictorian, West High School.

Senate Joint Resolution No. 1397 -- Memorials, Academic Achievement -- Reed Cooper, Co-Salutatorian, West High School.

Senate Joint Resolution No. 1398 -- Memorials, Academic Achievement -- Lucy Page, Co-Salutatorian, West High School.

Senate Joint Resolution No. 1399 -- Memorials, Academic Achievement -- Eliza Croom, Valedictorian, Austin-East Magnet High School.

Senate Resolution No. 176 -- Memorials, Professional Achievement -- Dr. Vincent J. Hunter, Shelby County Principal of the Year.

Senate Resolution No. 177 -- Memorials, Death -- Lucy Lobertini.

Senate Resolution No. 178 -- Memorials, Recognition -- Reverend Dr. Gina M. Stewart.

House Joint Resolution No. 1213 -- Memorials, Recognition -- William H. Watkins, Jr.

House Joint Resolution No. 1215 -- Memorials, Academic Achievement -- Natalie Weidenbach, Valedictorian, Dresden High School.

House Joint Resolution No. 1216 -- Memorials, Academic Achievement -- Dryver Finch, Salutatorian, Dresden High School.

House Joint Resolution No. 1217 -- Memorials, Academic Achievement -- Martha Wesley Nichols, Valedictorian, Gleason High School.

House Joint Resolution No. 1218 -- Memorials, Academic Achievement -- Katie Freeman, Salutatorian, Gleason High School.

House Joint Resolution No. 1219 -- Memorials, Academic Achievement -- Lydia Hazelwood, Valedictorian, Greenfield High School.

WEDNESDAY, JUNE 17, 2020 -- 64TH LEGISLATIVE DAY

House Joint Resolution No. 1220 -- Memorials, Academic Achievement -- Kassidy Harris, Salutatorian, Greenfield High School.

House Joint Resolution No. 1221 -- Memorials, Academic Achievement -- Cate Spencer, Valedictorian, Westview High School.

House Joint Resolution No. 1222 -- Memorials, Academic Achievement -- William Spencer, Salutatorian, Westview High School.

House Joint Resolution No. 1223 -- Memorials, Retirement -- Kathy McLean.

House Joint Resolution No. 1224 -- Memorials, Recognition -- Erin Brooke Welch, State FFA President.

House Joint Resolution No. 1225 -- Memorials, Recognition -- Tennessee National Guard 278th Armored Cavalry Regiment.

House Joint Resolution No. 1226 -- Memorials, Sports -- South Side High School Hawks basketball team.

House Joint Resolution No. 1227 -- Memorials, Recognition -- Greeneville Woman's Club, 50th Annual Holiday Bazaar.

House Joint Resolution No. 1228 -- Memorials, Personal Occasion -- Luna B. Cantrell, 100th birthday.

House Joint Resolution No. 1231 -- Memorials, Retirement -- Robin Roberts.

House Joint Resolution No. 1232 -- Memorials, Professional Achievement -- Kayla Jenkins, George Foster Award and Hicks Outstanding New Extension Worker Award.

Senator Jackson moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	29
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Jackson, Johnson, Kelsey, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, White, Yager, Yarbrow and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

LOCAL BILL
CONSENT CALENDAR

Objections having been raised, the following bills were placed at the heel of the calendar for Wednesday, June 17, 2020, pursuant to Rule 38: **Senate Bills Nos. 2918 and 2926.**

Senate Bill No. 2917 -- Wilson County -- Subject to local approval, authorizes the judge of the Court of General Sessions of Wilson County, Division III, to interchange with the judges of the Circuit and Chancery Courts in Wilson County for matters of domestic relations and probate. Amends Chapter 34 of the Private Acts of 1945; as amended.

On motion, Senate Bill No. 2917 was made to conform with **House Bill No. 2912**.

On motion, House Bill No. 2912, on same subject, was substituted for Senate Bill No. 2917.

Senate Bill No. 2921 -- Dickson County -- Subject to local approval, specifies that the General Sessions Court Clerk must serve as the Clerk of the Juvenile Court of Dickson County rather than the County Clerk. Amends Chapter 267 of the Private Acts of 1982; as amended.

On motion, Senate Bill No. 2921 was made to conform with **House Bill No. 2914**.

On motion, House Bill No. 2914, on same subject, was substituted for Senate Bill No. 2921.

Senate Bill No. 2923 -- Portland -- Subject to local approval, revises charter provisions relating to contracts procured by the City; authorizes city council to fix the time and place of regular meetings of the council; requires a two-thirds vote of the city council to adopt an ordinance or resolution where specified; clarifies that certain ordinances may require a minimum time between two readings prior to becoming effective. Amends Chapter 568 of the Private Acts of 1939; as amended.

On motion, Senate Bill No. 2923 was made to conform with **House Bill No. 2916**.

On motion, House Bill No. 2916, on same subject, was substituted for Senate Bill No. 2923.

Senate Bill No. 2927 -- Ashland City -- Subject to local approval, authorizes the mayor to designate a financial director to assist with the budget and manage all financial affairs of the city; authorizes city recorder to have a designee in the city recorder's absence at meetings. Amends Chapter 121 of the Private Acts of 2004; as amended.

On motion, Senate Bill No. 2927 was made to conform with **House Bill No. 2928**.

On motion, House Bill No. 2928, on same subject, was substituted for Senate Bill No. 2927.

Senate Bill No. 2928 -- Portland -- Subject to local approval, changes, from May to November, the election for the mayor and aldermen; clarifies that the mayor and city council appoint officers of the county by a majority vote; allows the mayor to appoint all standing committees as he deems proper. Amends Chapter 568 of the Private Acts of 1939; as amended.

On motion, Senate Bill No. 2928 was made to conform with **House Bill No. 2920**.

On motion, House Bill No. 2920, on same subject, was substituted for Senate Bill No. 2928.

Senate Bill No. 2929 -- Parsons -- Subject to local approval, authorizes the appointment of a city administrator; shifts certain duties of the mayor to the city administrator. Amends Chapter 182 of the Private Acts of 1998; as amended.

On motion, Senate Bill No. 2929 was made to conform with **House Bill No. 2921**.

On motion, House Bill No. 2921, on same subject, was substituted for Senate Bill No. 2929.

Senate Bill No. 2930 -- Haywood County -- Subject to local approval, exempts one vehicle owned by an active member of a volunteer fire department of a volunteer local rescue squad from the local wheel tax. Amends Chapter 324 of the Private Acts of 1961.

On motion, Senate Bill No. 2930 was made to conform with **House Bill No. 2927**.

On motion, House Bill No. 2927, on same subject, was substituted for Senate Bill No. 2930.

Senate Bill No. 2934 -- Franklin -- Subject to local approval, authorizes the city to extend the terms of leases for real property owned by the city from thirty years or less to up to fifty years or less. Amends Chapter 79 of the Acts of 1903; as amended.

On motion, Senate Bill No. 2934 was made to conform with **House Bill No. 2929**.

On motion, House Bill No. 2929, on same subject, was substituted for Senate Bill No. 2934.

Senator Jackson moved that all Senate and House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

MESSAGE CALENDAR

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 1247 -- Education, Dept. of -- As introduced, requires the department to publish the list of art supplies that are certified nontoxic by the Arts and Creative Materials Institute on the department's website. Amends TCA Title 49.

HOUSE AMENDMENT NO. 4

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-1-614(k), is amended by adding the following language as a new subdivision (4):

(4) Notwithstanding subdivisions (k)(1)-(3), a school that has been placed in the ASD shall remain in the ASD until the school is authorized to return to the school's LEA according to the transition plan developed by the commissioner pursuant to this subdivision (k)(4). The commissioner shall develop a transition plan for the purpose of planning the return, no earlier than the 2024-2025 school year, of schools in the ASD to the LEAs from which the schools were removed. The commissioner shall submit the plan developed pursuant to this subdivision (k)(4) to the education committees of the senate and house of representatives by January 1, 2021.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Gresham moved that the Senate concur in House Amendment No. 4 to **Senate Bill No. 1247**, which motion prevailed by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 1796 -- Employees, Employers -- As introduced, prohibits marketplace platforms from keeping tips intended for marketplace contractors. Amends TCA Title 50; Title 56 and Title 62.

HOUSE AMENDMENT NO. 1

AMEND by deleting SECTION 2 and substituting the following:

SECTION 2. This act shall take effect October 1, 2020, the public welfare requiring it.

Senator Yarbrow moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 1796**, which motion prevailed by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley,

Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 1960 -- Therapists, Physical and Occupational -- As introduced, makes various changes concerning the practice of physical therapy. Amends TCA Title 63, Chapter 13.

HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 63-13-103(12), is amended by deleting the subdivision and substituting the following:

(12) "Physical therapist" or "physiotherapist" means a person who is licensed pursuant to this chapter to practice physical therapy;

SECTION 2. Tennessee Code Annotated, Section 63-13-103, is amended by adding the following as a new subdivision:

() "Competence" is the application of knowledge, skills, and behaviors required to function effectively, safely, ethically, and legally within the context of the patient's role and environment;

SECTION 3. Tennessee Code Annotated, Section 63-13-301, is amended by deleting subsection (a) and substituting the following:

(1) A physical therapist, or physiotherapist, licensed under this chapter is fully authorized to practice physical therapy.

(2) A physical therapist, or physiotherapist, is not licensed under this chapter unless the individual holds a degree from a professional physical therapy program accredited by a national accreditation agency recognized by the United States department of education and by the board of physical therapy.

SECTION 4. Tennessee Code Annotated, Section 63-13-303(a), is amended by deleting the subsection and substituting the following:

(a) The practice of physical therapy must be under the written or oral referral of a referring practitioner who is a licensed doctor of medicine, chiropractic, dentistry, podiatry, or osteopathy, except a licensed physical therapist may:

(1) Conduct an initial patient visit without referral;

(2) Provide physical assessments or instructions, including a recommendation of exercise to an asymptomatic person, without the referral of a referring practitioner;

(3)

(A) In emergency circumstances, including minor emergencies, provide assistance to a person to the best of a physical therapist's ability without the referral of a referring practitioner. Except as provided in subdivision (a)(4), the physical therapist shall refer the person to the appropriate healthcare practitioner, as indicated, immediately after providing assistance;

(B) For the purposes of subdivision (a)(3)(A):

(i) "Emergency circumstances" means instances where emergency medical care is required; and

(ii) "Emergency medical care" means bona fide emergency services provided after the sudden onset of a medical condition manifesting itself by acute symptoms of sufficient severity, including severe pain, such that the absence of immediate medical attention could reasonably be expected to result in:

(a) Placing the patient's health in serious jeopardy;

(b) Serious impairment to bodily functions; or

(c) Serious dysfunction of any bodily organ or part; and

(4) Treat a patient without a referral when, within the scope of practice of physical therapy, the following are met:

(A) The patient's physician, as defined in § 63-6-204(f)(7) has been notified;

(B) If the physical therapist determines, based on clinical evidence, that no progress has been made with respect to that patient's condition within thirty (30) days, immediately following the date of the patient's initial visit with the physical therapist, then the physical therapist shall not provide any additional physical therapy services and shall refer the patient to a healthcare practitioner who qualifies as a referring practitioner;

(C) Physical therapy services must not continue beyond ninety (90) days without consulting with the patient's appropriate healthcare practitioner;

(D) If the patient was previously diagnosed by a licensed physician with chronic, neuromuscular, or developmental conditions, and the evaluation, treatment, or services are being provided for problems or symptoms associated with one (1) or more of those

previously diagnosed conditions, then subdivisions (a)(4)(B) and (a)(4)(C) do not apply; and

(E) A physical therapist shall refer patients under the physical therapist's care to appropriate healthcare practitioners, if, at any time, the physical therapist has reasonable cause to believe symptoms or conditions are present that require services beyond the scope of practice of a physical therapist, reasonable therapeutic progress is not being achieved for the patient, or physical therapy treatment is contraindicated.

SECTION 5. Tennessee Code Annotated, Section 63-13-303, is amended by adding the following as a new subsection:

(c) It is unprofessional conduct, for the purposes of § 63-13-312, for a physical therapist to knowingly initiate services to a patient in violation of subdivision (a)(4).

SECTION 6. Tennessee Code Annotated, Section 63-13-305, is amended by deleting subdivision (b)(3) and substituting the following:

(3) A physical therapist or physical therapist assistant licensed in another United States jurisdiction, or a foreign-educated or internationally trained physical therapist credentialed in another country, performing physical therapy as part of teaching or participating in an educational seminar of no more than sixty (60) days in a calendar year; and

SECTION 7. Tennessee Code Annotated, Section 63-13-306, is amended by deleting subsection (e) and substituting the following:

(e) Applicants who do not pass the examination after the first attempt may retake the examination one (1) additional time without reapplication for licensure up to a total of six (6) attempts. Applications remain active for twelve (12) months. After twelve (12) months, applicants must submit a new application with all applicable fees.

SECTION 8. Tennessee Code Annotated, Section 63-13-307(a)(4), is amended by deleting the subdivision and substituting the following:

(4) Be a graduate of a professional physical therapy program accredited by a national accreditation agency recognized by the United States department of education and by the board of physical therapy; and

SECTION 9. Tennessee Code Annotated, Section 63-13-307, is amended by deleting subdivisions (a)(1) and (b)(1).

SECTION 10. Tennessee Code Annotated, Section 63-13-307(d), is amended by deleting the following language:

An applicant for licensure as a physical therapist who has been educated outside the United States shall meet the following qualifications:

and substituting the following:

An applicant for licensure as a physical therapist who has been educated outside the United States, foreign-educated, or internationally trained shall meet the following qualifications:

SECTION 11. Tennessee Code Annotated, Section 63-13-307, is amended by deleting subdivision (d)(1).

SECTION 12. Tennessee Code Annotated, Section 63-13-308, is amended by deleting the section and substituting the following:

63-13-308. License renewal – Eligibility to apply for physical therapy licensure compact privileges – Changes in name or address – Retirement – Inactive Status – Exemption from continuing education requirements.

(a) A physical therapist or physical therapist assistant licensed under this part shall renew the person's license as specified in the rules. An individual who fails to renew the license by the date of expiration shall not practice physical therapy or function as a physical therapist assistant in this state.

(b) A physical therapist or physical therapist assistant licensed in a jurisdiction that is a member state of the Physical Therapy Licensure Compact is eligible to become a licensee for compact privileges in this state, subject to the requirements in § 63-13-402.

(c) Each licensee shall report to the division a name change and changes in business and home address within thirty (30) days of the change.

(d) A person licensed by the board to the practice of physical therapy in this state who has retired, or may retire, from the practice in this state is not required to register as required by this part if the person files with the board an affidavit on a form to be furnished by the board, which affidavit states the date on which the person retired from the practice and any other facts the board considers necessary that tend to verify the retirement. If the person thereafter reengages in the practice in this state, the person must apply for licensure with the board as provided by this part and meet the continuing education requirements that are established by the board, except for good and sufficient reasons as determined by the board.

(e) A person licensed by the board may place their license on inactive status by filing the proper forms with the board and by paying a biennial fee in accordance with rules. If the person thereafter reengages in active practice of physical therapy in this state, then the person must apply for relicensure with the board as provided by this part and meet the continuing education requirements as are established by the board, except for good and sufficient reasons as determined by the board.

SECTION 13. Tennessee Code Annotated, Section 63-13-310, is amended by deleting subsection (a) and substituting the following:

(a) A physical therapist shall use the letters "PT" or "DPT", as appropriate for the individual's education, in connection with their name or place of business to denote licensure under this part.

SECTION 14. Tennessee Code Annotated, Section 63-13-312(a), is amended by adding the following as new subdivisions:

() Acting in a manner inconsistent with generally accepted standards of physical therapy practice;

() Practicing physical therapy with a mental or physical condition that impairs the ability of the licensee to practice with skill and safety;

SECTION 15. Tennessee Code Annotated, Section 63-13-318, is amended by deleting subsection (k) and substituting the following:

(k) In making appointments to the board, the governor shall strive to ensure that at least one (1) member is fifty-five (55) years of age or older, that at least one (1) member is a racial minority, and that the gender balance of the board reflects the gender balance of the state's population.

SECTION 16. The heading to a section in this act is for reference purposes only and does not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the heading in any compilation or publication containing this act.

SECTION 17. This act shall take effect upon becoming a law, the public welfare requiring it, and applies to actions occurring on or after that date.

Senator Crowe moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 1960**, which motion prevailed by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbro and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2458 -- Public Employees -- As introduced, clarifies that the current prohibition against traffic offense citation quotas is applicable to public officials or public employees; creates a Class B misdemeanor offense, subject to fine only, for officials and employees violating that prohibition. Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 38; Title 39 and Title 40.

HOUSE AMENDMENT NO. 1

AMEND by deleting the effective date section and substituting instead the following:

SECTION _____. This act shall take effect October 1, 2020, the public welfare requiring it.

Senator Roberts moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 2458**, which motion prevailed by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, White, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2741 -- Courts -- As introduced, allows a court to temporarily hold court proceedings in a courthouse or other room located outside the county seat under specific circumstances. Amends TCA Section 16-1-105.

HOUSE AMENDMENT NO. 1

AMEND by deleting the language "; and" from § 16-1-105(a)(2)(A)(iii) in the amendatory language of Section 1 and substituting the language ";", by deleting the period at the end of the sentence in § 16-1-105(a)(2)(A)(iv) in the amendatory language of Section 1 and substituting the language "; and", and by adding the following language as a new subdivision (a)(2)(A)(v) in § 16-1-105 in the amendatory language of Section 1:

(v) All court sessions held in a courthouse or other room located outside the county seat are made available for viewing by the public over the internet by streaming video accessible to the public.

Senator Bell moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 2741**, which motion prevailed by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2747 -- Juvenile Offenders -- As introduced, requires juvenile court petitions and orders to be open to public inspection if the delinquent act would constitute an act of terrorism or an attempt to commit terrorism if committed by an adult; prohibits expunction of a juvenile's record relating to a delinquent act that would constitute an act of terrorism or an attempt to commit terrorism if committed by an adult. Amends TCA Title 37.

HOUSE AMENDMENT NO. 1

AMEND by deleting the effective date section and substituting instead the following:

SECTION _____. This act shall take effect October 1, 2020, the public welfare requiring it.

Senator Bell moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 2747**, which motion prevailed by the following vote:

Ayes 31
Noes 1

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--31.

Senators voting no were: Gilmore--1.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2874 -- Agriculture, Dept. of -- As introduced, establishes the Tennessee equine health advisory commission. Amends TCA Title 4 and Title 43.

HOUSE AMENDMENT NO. 1

AMEND by deleting "July 1, 2020" in subsection (d) of § 43-13-103 and substituting instead "August 1, 2020".

Senator Bailey moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 2874**, which motion prevailed by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

HOUSE AMENDMENT NO. 2

AMEND by deleting the language "appropriate, and make" in 43-13-106(b) of SECTION 3 and substituting instead the language "necessary, and make".

Senator Bailey moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 2874**, which motion prevailed by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbro and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2884 -- Criminal Offenses -- As introduced, punishes knowingly damaging fire equipment by means of fire or explosion as arson, a Class C felony; defines fire equipment as vehicles, tools, or devices used by a fire department to extinguish fires. Amends TCA Title 39, Chapter 14, Part 3.

HOUSE AMENDMENT NO. 2

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-14-301(a), is amended by deleting the language "knowingly damages any structure by means of a fire or explosion" and substituting instead the following:

knowingly damages any structure or farm equipment by means of a fire or explosion

SECTION 2. Tennessee Code Annotated, Section 39-14-301, is amended by deleting subdivision (b)(2)(B); redesignating subdivision (b)(2)(A) as subdivision (b)(2); and adding the following as a new subsection (c):

(c) As used in this section:

(1) "Farm equipment" means any farm tractor as defined § 55-1-104(a), farm implement designed to be operated with a farm tractor, and motorized farm machinery used in the commercial production of farm products or nursery stock; and

(2) "Place of worship" means any structure that is:

(A) Approved, or qualified to be approved, by the state board of equalization for property tax exemption pursuant to § 67-5-212, based on ownership and use of the structure by a religious institution; and

(B) Utilized on a regular basis by such religious institution as the site of congregational services, rites, or activities communally undertaken for the purpose of worship.

SECTION 3. This act shall take effect October 1, 2020, the public welfare requiring it.

Senator Bailey moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 2884**, which motion prevailed by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
HOUSE BILL NO. 394/SENATE BILL NO. 453**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 394 (Senate Bill No. 453) has met and recommends that all amendments be deleted.

The Committee further recommends that the following amendment be adopted:

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-35-501(h), is amended by deleting the subsection and substituting instead the following:

(h)

(1) Release eligibility for a defendant committing the offense of first degree murder on or after November 1, 1989, but prior to July 1, 1995, who receives a sentence of imprisonment for life occurs after service of sixty percent (60%) of sixty (60) years less sentence credits earned and retained by the defendant, but in no event shall a defendant sentenced to imprisonment for life be eligible for parole until the defendant has served a minimum of twenty-five (25) full calendar years of the sentence, notwithstanding the governor's power to reduce prison overcrowding pursuant to title 41, chapter 1, part 5, any sentence reduction credits authorized by § 41-21-236, or any other provision of law relating to sentence credits.

(2) There shall be no release eligibility for a person committing first degree murder, on or after July 1, 1995, and receiving a sentence of imprisonment for life. The person shall serve one hundred percent (100%) of sixty (60) years less sentence credits earned and retained. However, no sentence reduction credits authorized by § 41-21-236 or any other law, shall operate to reduce the sentence imposed by the court by more than fifteen percent (15%).

(3) There shall be no release eligibility for a defendant receiving a sentence of imprisonment for life without possibility of parole for first degree murder or aggravated rape of a child.

SECTION 2. Tennessee Code Annotated, Section 40-35-501(i), is amended by deleting subdivision (i)(2)(A).

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

/s/ Senator Mike Bell
/s/ Senator Brian Kelsey
/s/ Senator Sara Kyle

/s/ Representative Johnny Garrett
/s/ Representative Mary Littleton
/s/ Representative Bob Freeman

Senator Bell moved that the Conference Committee Report on **House Bill No. 394/Senate Bill No. 453** be adopted and made the action of the Senate, which motion prevailed by the following vote:

Ayes	30
Noes	1
Present, not voting	1

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager and Mr. Speaker McNally--31.

Senators voting no were: Yarbro -- 1.

Senators present and not voting were: Gilmore--1.

A motion to reconsider was tabled.

Senator Johnson moved to suspend Rule 44 to consider **Senate Bill No. 2931**, out of order, which motion prevailed.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2931 -- Appropriations -- As enacted, makes appropriations for the fiscal years beginning July 1, 2019, and July 1, 2020.

Senator Briggs declared Rule 13 on **Senate Bill No. 2931**.

Senator Kelsey declared Rule 13 on **Senate Bill No. 2931**.

Senator Gardenhire declared Rule 13 on **Senate Bill No. 2931**.

HOUSE AMENDMENT NO. 1

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Orderly Closing of Fiscal Years 2019-2020 and 2020-2021. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. It is the legislative intent to fulfill the essential function and constitutional responsibility of state government to orderly close fiscal years 2019-2020 and 2020-2021. Under the provisions of Tennessee Code Annotated, Section 4-3-1016, as amended by Senate Bill No. 2932 / House Bill No. 2924, if such bill becomes a law, the Commissioner of Finance and Administration is authorized to deny carry forwards for and to transfer funds from the enumerated funds, reserve accounts, or programs to the state general fund for the sole purpose of meeting the requirements of funding state government for the fiscal years ending June 30, 2020 and June 30, 2021, and for that purpose such funds hereby are appropriated to the general fund. The Commissioner of Finance and Administration shall report to the chairs of the Senate and House Finance, Ways and Means Committees, and the directors of the Office of Legislative Budget Analysis all such transfers and carry-forward denials by January 15, 2021. Such transfers and carry-forward denials shall be according to the following schedule, to the extent funds are available in the reserves and considering the interests of the programs, as determined by the Commissioner of Finance and Administration:

Item 1. From the reserves for unencumbered balance and capital outlay that are not permanent statutory reserves.

Senator Johnson moved that the Senate nonconcur in House Amendment No. 1 to **Senate Bill No. 2931**, which motion prevailed.

HOUSE AMENDMENT NO. 2

AMEND by adding the following as a new, appropriately designated Item in Section 6:

Item _____. The capital outlay projects listed in the 2020-2021 Budget Document and which are identified with the heading "Proposed Capital Projects from School Bonds and Other Sources, Fiscal Year 2020-2021," are presented for informational purposes only. The projects are subject to recommendation and approval procedures involving the: higher education institutions and their governing boards, the Tennessee Higher Education Commission, Finance and Administration, the Tennessee State School Bond Authority, the State Funding Board, and the State Building Commission.

The following proposed capital outlay projects, to be funded from school bonds, institutional/auxiliary and other funds, are in addition to those projects listed on pages A-137 and A-138 in the 2020-2021 Budget Document and in Section 29, Item 29 of Chapter 651, Public Acts of 2020:

University of Tennessee Health Science Center, Memphis Bioworks Acquisition, in the amount of \$ 14,450,000.

Senator Johnson moved that the Senate nonconcur in House Amendment No. 2 to **Senate Bill No. 2931**, which motion prevailed.

HOUSE AMENDMENT NO. 8

AMEND by adding the following new section immediately preceding the antepenultimate section and renumbering the remaining sections accordingly:

SECTION _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to the Department of Transportation for the sole purpose of covering expenses for the Department to plant donated trees and natural landscaping that have been approved by the Department to shield the Nathan Bedford Forest statue located near mile marker 76 along Interstate 65 North from the ordinary observation of travelers on the Interstate.

Senator Johnson moved that the Senate nonconcur in House Amendment No. 8 to **Senate Bill No. 2931**, which motion prevailed.

HOUSE AMENDMENT NO. 13

AMEND by deleting the language "State Parks Conservancy" wherever it appears and substituting instead the language "Historical Society".

Senator Johnson moved that the Senate nonconcur in House Amendment No. 13 to **Senate Bill No. 2931**, which motion prevailed.

HOUSE AMENDMENT NO. 17

AMEND by adding the following new section immediately preceding the antepenultimate section and renumbering the remaining sections accordingly:

SECTION _____.

Item 1. Notwithstanding any provisions of Section 47 of Chapter 651, Public Acts of 2020 to the contrary, from state revenues and other funds available to the general fund in excess of requirements for the fiscal year ending June 30, 2021, the Commissioner of Finance and Administration shall establish the Revenue Fluctuation Reserve in such amount as may be available under the provisions of Tennessee Code Annotated, Section 9-4-211. Provided, it is the legislative intent that the Revenue Fluctuation Reserve be set at a level of not less than \$1,380,000,000 on June 30, 2021.

Item 2. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$70,000,000 (non-recurring) to the Department of Education for the sole purpose of providing grants to local education agencies to be used solely to provide a one-time bonus of \$1,000 to each K-12 Education Teacher who has an effectiveness group evaluation rating of Level 3, 4, or 5. It is the legislative intent that the bonuses be provided to such teachers no later than January 1, 2021.

Senator Johnson moved that the Senate nonconcur in House Amendment No. 17 to **Senate Bill No. 2931**, which motion prevailed.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2932 -- Budget Procedures -- As enacted, makes revisions to general law necessary to implement the annual appropriations act; requires dealers with physical presence in this state to register with department of revenue to collect and remit sales tax. Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 10; Title 12; Title 13; Title 16; Title 17; Title 18; Title 29; Title 33; Title 36; Title 37; Title 38; Title 39; Title 40; Title 41; Title 42; Title 43; Title 44; Title 45; Title 47; Title 48; Title 49; Title 50; Title 53; Title 54; Title 55; Title 56; Title 57; Title 58; Title 59; Title 60; Title 61; Title 62; Title 63; Title 64; Title 65; Title 66; Title 67; Title 68; Title 69; Title 70 and Title 71.

HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-3-1016(d), is amended by deleting the language "June 30, 2011 and June 30, 2014," and substituting instead the language "June 30, 2011, June 30, 2014, June 30, 2020, and June 30, 2021,".

SECTION 2. Tennessee Code Annotated, Section 4-3-1016(e), is amended by deleting the language "and June 30, 2011" and substituting instead the language "June 30, 2011, June 30, 2020, and June 30, 2021".

SECTION 3. Tennessee Code Annotated, Section 4-3-1016(i), is amended by deleting the language "In the fiscal year ending June 30, 2018" and substituting instead the language "In the fiscal years ending June 30, 2018, June 30, 2020, and June 30, 2021".

SECTION 4. Tennessee Code Annotated, Section 4-3-1016, is further amended by adding the following new subsection (j):

(j) In the fiscal years ending June 30, 2020, and June 30, 2021, in addition to the transfers authorized in subsection (d), transfers are authorized from the following additional funds, reserve accounts, and programs:

(1) Attorney general and reporter, litigation settlement funds reserve, except as otherwise provided by law;

(2) District attorneys general conference, district attorneys expunction fund, created or referenced in title 40, chapter 32, part 1;

(3) District public defenders conference, public defenders expunction fund, created or referenced in title 40, chapter 32, part 1;

(4) Tennessee public utility commission, underground damage prevention fund, created or referenced in title 65, chapter 31, part 1;

(5) Tennessee arts commission, reserve for new specialty earmarked license plates, created or referenced in title 55, chapter 4, part 3;

(6) Department of finance and administration, office of inspector general reserve, created or referenced in title 71, chapter 5, part 25;

(7) Department of finance and administration, victim notification fund, created or referenced in title 67, chapter 4, part 6;

(8) Department of finance and administration, horse trailer specialty license plate reserve, created or referenced in title 55, chapter 4, part 3;

(9) Bureau of TennCare, Cover Tennessee litigation settlement reserve, except as otherwise provided by law;

(10) Department of agriculture, animal population specialty license plate reserve, created or referenced in title 55, chapter 4, part 2;

(11) Department of agriculture, agricultural specialty earmarked license plate reserve, created or referenced in title 55, chapter 4, part 2;

(12) Department of agriculture, beef promotion board reserve, created or referenced in title 43, chapter 29, part 1;

(13) Department of agriculture, cotton growers' organization reserve, created or referenced in title 43, chapter 6, part 4;

(14) Department of environment and conservation, state parks specialty license plate reserve, created or referenced in title 55, chapter 4, part 2;

(15) Department of environment and conservation, state parks Ocoee River recreation and economic development fund, created or referenced in title 11, chapter 8, part 1;

(16) Department of environment and conservation, Tennessee historical commission, Tennessee Civil War or War Between the States site preservation fund, created or referenced in chapter 11, part 1 of this title;

(17) Department of environment and conservation, Tennessee historical commission, historic property land acquisition fund, created or referenced in chapter 11, part 1 of this title;

(18) Department of environment and conservation, tire environmental fund, created or referenced in title 68, chapter 211, part 3;

(19) Department of environment and conservation, state parks birds of prey specialty license plate reserve, created or referenced in title 55, chapter 4, part 2;

(20) Tennessee wildlife resources agency, wildlife resources fund, created or referenced in title 70, chapter 1, part 4;

(21) Tennessee wildlife resources agency, boating safety act reserve, created or referenced in title 69, chapter 9, part 2;

(22) Department of education, energy efficient schools initiative reserve, created or referenced in title 49, chapter 17, part 1;

(23) Tennessee higher education commission, postsecondary licensure fee reserve, created or referenced in title 49, chapter 7, part 20;

(24) Attorney general and reporter, consumer affairs division reserve, created or referenced in title 40, chapter 33, part 2;

(25) Department of commerce and insurance, reduced cigarette ignition propensity and firefighter protection act enforcement fund, created or referenced in title 68, chapter 102, part 5;

(26) Tennessee corrections institute, local correctional officer training fund, created or referenced in title 41, chapter 7, part 1;

(27) Department of commerce and insurance, cemetery consumer protection account reserve, created or referenced in title 46, chapter 1, part 1;

(28) Department of commerce and insurance, pre-need funeral consumer protection account reserve, created or referenced in title 62, chapter 5, part 4;

(29) Department of commerce and insurance, securities industry education and enforcement fees, created or referenced in title 48, chapter 1, part 1;

(30) Department of commerce and insurance, insurance industry education and enforcement fees, created or referenced in title 56, chapter 53, part 1;

(31) Department of commerce and insurance, closed estate fund, created or referenced in title 56, chapter 9, part 3;

(32) Department of military, station commander's upkeep and maintenance fund, created or referenced in title 58, chapter 1, part 5;

(33) Department of health, St. Jude Children's Research Hospital specialty license plate reserve, created or referenced in title 55, chapter 4, part 2;

(34) Department of safety, electronic citation fee reserve, created or referenced in title 55, chapter 10, part 2;

(35) Department of environment and conservation, underground storage tank settlement funds, except as otherwise provided by law;

(36) Department of environment and conservation, solid waste settlement funds, except as otherwise provided by law;

(37) Department of environment and conservation, superfund settlement funds, except as otherwise provided by law;

(38) Department of environment and conservation, leaking underground storage tank settlement funds, except as otherwise provided by law;

(39) Court system, access to justice program reserve, created or referenced in Supreme Court Rule 50 and title 16, chapter 1, part 1;

(40) Court system, board of professional responsibility reserve, created or referenced in Supreme Court Rule 9 and title 16, chapter 1, part 1;

(41) Court system, Tennessee lawyers assistance program reserve, created or referenced in Supreme Court Rule 33 and title 16, chapter 1, part 1;

(42) Court system, commission on continuing legal education program reserve, created or referenced in Supreme Court Rule 21 and title 16, chapter 1, part 1;

(43) Court system, judicial commissioner continuing education account reserve, created or referenced in title 67, chapter 4, part 6;

(44) District attorneys general conference, fraud and economic crimes reserve, created or referenced in title 40, chapter 3, part 2;

(45) State treasurer, state pooled investment fund administrative reserve, created or referenced in title 9, chapter 4, part 6;

(46) State treasurer, educator liability fund, created or referenced in title 9, chapter 8, part 2;

(47) Department of correction, TDOC confiscated cash fund, created, or referenced in title 4, chapter 6, part 1;

(48) Public defenders conference, indigent defense local litigation tax reserve, created or referenced in title 40, chapter 14, part 2;

(49) Secretary of state, fantasy sports fund, created or referenced in title 47, chapter 18, part 16;

(50) State treasurer, financial literacy program reserve, created or referenced in title 49, chapter 6, part 17;

(51) State treasurer, electronic monitoring indigency fund, created or referenced in title 55, chapter 10, part 4;

(52) Department of finance and administration, electronic monitoring indigency fund, created or referenced in title 55, chapter 10, part 4;

(53) Department of finance and administration, child abuse fund, created or referenced in title 39, chapter 13, part 5;

(54) Department of finance and administration, anti-human trafficking fund, created or referenced in title 39, chapter 13, part 3;

(55) TennCare, maintenance of coverage trust fund, created or referenced in title 71, chapter 5, part 1;

(56) TennCare, nursing home assessment trust fund, created or referenced in title 71, chapter 5, part 10;

(57) Department of environment and conservation, settlement funds from *Lenoir v. Porters Creek Watershed District*, 586 F.2d 1081 (1978), except as otherwise provided by law;

(58) Department of environment and conservation, state lands acquisition compensation fund, created or referenced in title 67, chapter 4, part 4;

(59) Department of environment and conservation, settlement funds from *Tennessee v. Roane Holdings, Ltd.*, 835 F.Supp.2d 527 (2011), except as otherwise provided by law;

(60) Department of correction, Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification and Tracking Act of 2004 reserve, created or referenced in title 40, chapter 39, part 2;

(61) Department of commerce and insurance, Professional Employee Organization Act reserve, created or referenced in title 62, chapter 43, part 1;

(62) Department of labor and workforce development, employee misclassification education and enforcement fund, created or referenced in title 50, chapter 6, part 9;

(63) Department of health, trauma system fund, created or referenced in title 68, chapter 59, part 1; and

(64) Department of revenue, uninsured motorist identification restricted fund, created or referenced in title 55, chapter 12, part 2.

SECTION 5. Tennessee Code Annotated, Title 67, Chapter 6, Part 5, is amended by adding the following new sections:

67-6-543.

(a) Dealers with a physical presence in this state shall register with the department to collect and remit tax in accordance with this chapter.

(b) Dealers with no physical presence in this state shall register with the department to collect and remit tax in accordance with this chapter if the dealer engages in the regular or systematic solicitation of consumers in this state through any means and made sales that exceeded one hundred thousand dollars (\$100,000) to consumers in this state during the previous twelve-month period. Such dealers shall begin to collect and remit the tax by the first day of the third calendar month following the month in which this threshold was met; provided, however, that this subsection (b) does not require a dealer to collect the tax for sales made before October 1, 2020.

67-6-544.

The general assembly finds that the sales threshold standard required by § 67-6-543(b) matches the benchmark established by South Dakota that was analyzed and found to support it being upheld as constitutional by the supreme court of the United States in *South Dakota v. Wayfair*, 138 S.Ct. 2080 (2018).

67-6-545.

Section 67-6-543 does not change the substantial nexus criteria for determining when a person is required to pay the business tax under § 67-4-717, excise tax under § 67-4-2007, or franchise tax under § 67-4-2105.

SECTION 6. Tennessee Code Annotated, Section 67-6-501(a), is amended by deleting the language "Every dealer making sales" and substituting instead the language "Except as otherwise provided in § 67-6-543(b), every dealer making sales".

SECTION 7. Tennessee Code Annotated, Section 67-6-501(f)(1), is amended by deleting the following language:

The marketplace facilitator made or facilitated total sales to consumers in this state of five hundred thousand dollars (\$500,000) or less during the previous twelve-month period;

and substituting instead the following:

The marketplace facilitator made or facilitated total sales to consumers in this state of one hundred thousand dollars (\$100,000) or less during the previous twelve-month period;

SECTION 8. Tennessee Code Annotated, Section 67-6-509(a), is amended by deleting the language "An out-of-state person making sales in Tennessee, who cannot be required to register for sales and use tax under applicable law" and substituting instead the language "An out-of-state person making sales in Tennessee, who is not required to register for sales and use tax under applicable law".

SECTION 9. Tennessee Code Annotated, Section 67-4-3204(c), is amended by deleting the subsection in its entirety.

SECTION 10. If any provisions of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 11. Sections 5, 6, 7, 8, and 9 shall take effect at 12:01 a.m. on October 1, 2020, the public welfare requiring it. All other sections of this act shall take effect upon becoming a law, the public welfare requiring it.

Senator Johnson moved that the Senate nonconcur in House Amendment No. 1 to **Senate Bill No. 2932**, which motion prevailed.

HOUSE AMENDMENT NO. 2

AMEND by adding the following new sections immediately preceding the penultimate section and renumbering the remaining sections accordingly:

SECTION _____. Tennessee Code Annotated, Section 3-1-107(c), is amended by deleting the language "For the fiscal year beginning in 2005," and substituting instead the language "Except as provided in subdivision (c)(2), for the fiscal year beginning in 2005,".

SECTION _____. Tennessee Code Annotated, Section 3-1-107(c), is amended by designating the existing language as subdivision (1) and adding the following as a new subdivision (2):

(2) Notwithstanding this section to the contrary, beginning with the election of the One Hundred Twelfth General Assembly, the base salary of each member shall not be adjusted pursuant to subdivision (c)(1) for fiscal year 2020-2021.

SECTION _____. Tennessee Code Annotated, Section 4-3-1016(d), is amended by deleting subdivisions (46), (47), (48), (49), (50), and (60) and renumbering the remaining subdivisions accordingly.

SECTION _____. Tennessee Code Annotated, Section 4-3-1016, is amended by adding the following new subsections:

(k) In the fiscal years ending June 30, 2008, June 30, 2009, June 30, 2010, June 30, 2011 and June 30, 2014, transfers are authorized from the following funds, reserve accounts and programs:

(1) Department of commerce and insurance, state board of accountancy fund, created or referenced in title 62, chapter 1, part 1;

(2) Department of commerce and insurance, division of regulatory boards fund, created or referenced in title 56, chapter 1, part 3;

(3) Department of health, health-related boards fund, created or referenced in title 63, chapter 1, part 1;

(4) Department of commerce and insurance, real estate education and recovery education fund, created or referenced in title 62, chapter 13, part 2;

(5) Department of commerce and insurance, real estate education and recovery claims fund, created or referenced in title 62, chapter 13, part 2; and

(6) Department of commerce and insurance, auctioneer education and recovery account, created or referenced in title 62, chapter 19.

(l) In the fiscal years ending June 30, 2020, and June 30, 2021, transfers shall not be made from the following funds, reserve accounts or programs:

(1) Tennessee board of court reporting fund, created or referenced in title 20, chapter 9, part 6;

(2) Department of agriculture, beef promotion board reserve, created or referenced in title 43, chapter 29, part 1; and

(3) Department of agriculture, cotton growers' organization reserve, created or referenced in title 43, chapter 6, part 4.

SECTION _____. Tennessee Code Annotated, Section 9-4-5111, is amended by adding the following as a new subsection:

(c) During fiscal year 2020-2021, before requiring each head to set aside a reserve pursuant to subsection (a) or otherwise reserving allotments pursuant to this section, the commissioner of finance and administration shall submit written notice of the proposed reserve allotment to the speakers of the senate and the house of representatives and to the chairs of the finance, ways and means committees of the senate and house of representatives. No such allotments shall be reserved until the speakers and chairs have acknowledged in writing receipt of such written notice. When submitted, a copy of the notice shall be provided to the fiscal review committee executive director and the office of legislative budget analysis directors for information purposes. A proposed reserve allotment shall not be acknowledged by the chairs during a time that the general assembly is in regular, annual session until each finance, ways and means committee has held a hearing on the proposed allotment, or the committees have held a joint hearing.

SECTION _____. Tennessee Code Annotated, Section 67-2-102, is amended by deleting subdivisions (4) and (5) and substituting instead the following:

(4) For any tax year that begins on or after January 1, 2020, and prior to January 1, 2025, one percent (1%); and

(5) For any tax year that begins on or after January 1, 2025, and for subsequent tax years, zero percent (0%).

SECTION _____. Tennessee Code Annotated, Section 67-2-124(c), is amended by deleting the subsection and substituting instead the following:

(c) The income tax levied by this chapter is eliminated for tax years that begin on or after January 1, 2025; provided, however, that this subsection (c) shall not be

construed to absolve any taxpayer of liability for any tax duly levied by this section, during a tax year that began prior to January 1, 2025.

SECTION _____. Tennessee Code Annotated, Section 67-6-393, is amended by deleting subsections (a) and (b) and substituting instead the following:

(a) Any exemption provided by this section shall be known as a "sales tax holiday."

(b)

(1) There is exempt from the tax imposed by this chapter the following items of tangible personal property, if sold between 12:01 a.m. on the last Friday of July and 11:59 p.m. the following Sunday:

(A) Clothing with a sales price of one hundred dollars (\$100) or less per item;

(B) School supplies with a sales price of one hundred dollars (\$100) or less per item;

(C) School art supplies with a sales price of one hundred dollars (\$100) or less per item; and

(D) Computers with a sales price of one thousand five hundred dollars (\$1,500) or less per item.

(2) The exemption provided by this subsection (b) does not apply to the following:

(A) Computer software;

(B) Clothing accessories or equipment;

(C) Protective equipment;

(D) Sport or recreational equipment;

(E) School instructional material;

(F) School computer supplies;

(G) Any item for use in a trade or business;

(H) The lease or rental of any item; or

(I) Video game consoles.

SECTION _____. Tennessee Code Annotated, Section 67-6-393, is amended by adding the following as new subsections:

(f)

(1) Notwithstanding subsection (b), there is exempt from the tax imposed by this chapter the following items of tangible personal property, if sold between 12:01 a.m. on Friday, July 31, 2020, and 11:59 p.m. on Sunday, August 2, 2020, or between 12:01 a.m. on Friday, August 7, 2020, and 11:59 p.m. on Sunday, August 9, 2020:

(A) Clothing with a sales price of two hundred dollars (\$200) or less per item;

(B) School supplies with a sales price of two hundred dollars (\$200) or less per item;

(C) School art supplies with a sales price of two hundred dollars (\$200) or less per item;

(D) Electronic devices, including, but not limited to, computers and televisions, with a sales price of three thousand dollars (\$3,000) or less per item; and

(E) Household furnishings, including, but not limited to, furniture, appliances, and rugs, with a sales price of three thousand dollars (\$3,000) or less per item.

(2) The exemption provided by this subsection (f) does not apply to the following:

(A) Computer software;

(B) Clothing accessories or equipment;

(C) Protective equipment;

(D) Sport or recreational equipment;

(E) School instructional material;

(F) School computer supplies;

(G) Any item for use in a trade or business; or

(H) The lease or rental of any item.

(g) There is exempt from the tax imposed by this chapter the retail sale of food and drink by restaurants and limited service restaurants, as defined in § 57-4-102, if sold between 12:01 a.m. on Friday, July 31, 2020, and 11:59 p.m. on Sunday, August 2, 2020.

(h) There is exempt from the tax imposed by this chapter the sale of a motor vehicle in this state that is registered in this state in accordance with title 55, if the

vehicle is sold between 12:01 a.m. on Friday, September 4, 2020, and 11:59 p.m. on Monday, September 7, 2020.

AND FURTHER AMEND by deleting subdivisions (12) and (13) in SECTION 4(j) and renumbering the remaining subdivisions accordingly.

AND FURTHER AMEND by deleting the language "in addition to the transfers authorized in subsection (d)" in SECTION 4(j) and substituting instead the language "in addition to the transfers authorized in subsections (d) and (k)".

AND FURTHER AMEND by adding immediately after the language "(\$100,000)" in § 67-6-543(b) in SECTION 5 the language ", or two hundred (200) or more separate sales transactions,".

Senator Johnson moved that the Senate nonconcur in House Amendment No. 2 to **Senate Bill No. 2932**, which motion prevailed.

Senate Bill No. 2935 -- Bond Issues -- As enacted, authorizes the state, acting by resolution of its funding board, to issue and sell its interest-bearing bonds and bond anticipation notes for certain purposes.

HOUSE AMENDMENT NO. 1

AMEND by deleting all language immediately after the caption and substituting instead the following:

WHEREAS, the General Assembly recognizes the importance to the economic welfare and prosperity of the State of promoting economic growth, employment, and community development in the State and has in the past created the Department of Economic and Community Development to further such development and authorized the department to seek businesses to locate in the State; and

WHEREAS, the department intends to enter into agreements with Volkswagen Group of America Chattanooga Operations, LLC, to locate a new facility in Hamilton County; and

WHEREAS, this new facility will provide a substantial number of jobs and promote further economic growth, employment, and community development not only in Hamilton County but in the State as a whole; and

WHEREAS, the General Assembly finds that making grants to the Industrial Development Board of the City of Chattanooga, Tennessee, for acquisition of equipment and acquisition, site preparation, erection, construction, and equipment of sites and buildings, and infrastructure improvements and development in support of the location of Volkswagen Group of America Chattanooga Operations, LLC, in Tennessee, in accordance with agreements with them to be entered into and approval of the project by the State Building Commission, will serve the public purpose of promoting economic and community development in the State and for its inhabitants as a body, and is related to the function of the Department of Economic and Community Development in furthering such growth; and

WHEREAS, the department intends to enter into agreements with Amazon.com Services, Inc., to locate a new facility in Davidson County; and

WHEREAS, this new facility will provide a substantial number of jobs and promote further economic growth, employment, and community development not only in Davidson County but in the State as a whole; and

WHEREAS, the General Assembly finds that making grants to the Industrial Development Board of the Metropolitan Government of Nashville and Davidson County, Tennessee, for acquisition of equipment and acquisition, site preparation, erection, construction, and equipment of sites and buildings, and infrastructure improvements and development in support of the location of Amazon.com Services, Inc., in Tennessee, in accordance with agreements with them to be entered into and approval of the project by the State Building Commission, will serve the public purpose of promoting economic and community development in the State and for its inhabitants as a body, and is related to the function of the Department of Economic and Community Development in furthering such growth; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. The state of Tennessee, acting by resolutions of its funding board, is hereby authorized and empowered to issue and sell direct general obligation bonds of the state of Tennessee in amounts not to exceed one hundred sixty-seven million eighty-five thousand dollars (\$167,085,000) to effectuate the purposes specified in Section 4 of this act. Further, the funding board is authorized to sell bonds in amounts not to exceed two and one-half percent (2.5%) of the amounts specified above and authorized in Section 4, for the purpose of funding discount and costs of issuance. Such bonds may be issued and sold in one (1) block or in several installments and separately or together with other general obligation bonds of the state of Tennessee as the board may determine, either at public or private sale as provided by law.

SECTION 2. The bonds and the interest bearing coupons attached thereto, if any, shall be in such form, mature at such time or times within twenty (20) years from the date of their issuance subject to Section 7 of this act, be executed in such manner, be payable at such place or places both as to principal and interest, and be in such denominations and bear such rate or rates of interest, payable in such manner, as the funding board shall by resolution direct; provided, however, that the maximum rate determined by the funding board in no instance shall exceed the legal rate as provided in Tennessee Code Annotated, Section 47-14-103. The bonds and interest payable thereon shall be exempt from taxation by the state of Tennessee or by any county, municipality, or taxing district of the state except inheritance, transfer, and estate taxes.

SECTION 3. When the bonds are so issued and sold, they shall be direct general obligations of the state of Tennessee for the payment of which well and truly to be made according to the tenor, effect, and terms thereof the full faith and credit of the state, together with its taxing power, shall irrevocably be pledged; and the bonds as authorized in this act shall be issued agreeable to the terms of Tennessee Code Annotated, Title 9, Chapter 9; and they shall be financed, retired, and paid both as to principal and interest as provided in that chapter and shall be subject to the terms and conditions therein and herein contained. When the bonds are sold and proceeds paid over to the state treasurer, the funds shall be paid out by the treasurer and the proper fiscal officers of the state, as provided by general law and this act, but only, except for accrued interest paid as part of the purchase price on order of the proper administrative authorities of the agency or department in this act named for the

benefit of which such bonds have been authorized and only to the extent such bonds have in fact been issued for the benefit of such agency or department.

SECTION 4. The proceeds of any and all issues of bonds authorized in this act shall be allocated to the following departments:

(1) Department of Finance and Administration in the amount of fifty-two million eighty-five thousand dollars (\$52,085,000) and expended for the purposes of acquisition of equipment and sites, and erection, construction, and equipment of sites and buildings, expressly including the acquisition of existing structures for expansion, improvements, betterments, and extraordinary repairs to existing structures, and for the purpose of making grants to any county, metropolitan government, incorporated town, city, special district of the state, or any governmental agency or instrumentality of any of them, if such project grant is approved by the State Building Commission. Such grants so identified and approved are determined to be for a public purpose.

(2) Department of Finance and Administration in the amount of fifty million dollars (\$50,000,000) and expended for the purpose of making grants to The Industrial Development Board of the City of Chattanooga for the Volkswagen Group of America Chattanooga Operations, LLC, project and expended for the purpose of acquisition of equipment and acquisition, site preparation, erection, construction, and equipment of sites and buildings, and infrastructure improvements and development, including, but not limited to, sewer, water, utility, and rail infrastructure, whether or not such infrastructure is owned by the Industrial Development Board of the City of Chattanooga.

(3) Department of Finance and Administration in the amount of sixty-five million dollars (\$65,000,000) and expended for the purpose of making grants to The Industrial Development Board of the Metropolitan Government of Nashville and Davidson County for the Amazon.com Services, Inc., project and expended for the purpose of acquisition of equipment and acquisition, site preparation, erection, construction, and equipment of sites and buildings, and infrastructure improvements and development, including, but not limited to, sewer, water, utility, and rail infrastructure, whether or not such infrastructure is owned by the Industrial Development Board of the Metropolitan Government of Nashville and Davidson County.

(4) In its discretion the funding board is authorized to issue bonds in amounts not to exceed two and one-half percent (2.5%) of the amounts specified above in subdivision (1), the proceeds of which are to be allocated to such departments as determined by the funding board and expended for the purpose of funding discount and the costs of issuance.

SECTION 5. The proper authorities enumerated in this act and charged with the duty of expending the funds shall have authority to proceed with the projects authorized in this act and for that purpose may hire an architect or architects, advertise for bids, and award contracts, all within the provisions of the general law, expressly including Tennessee Code Annotated, Title 4, Chapter 15, and rules of the state building commission, and in agreement with the terms of this act. No contract, including a contract for architectural services, involving a project authorized by this act, which is subject to the approval of the state building commission, shall be entered into unless and until that contract shall have been approved by

the state building commission. The foregoing provisions shall not apply to any grants authorized in this act, but the department of finance and administration, charged with the duty of expending funds, shall have the authority to enter into such grant contracts and perform in accordance with their terms only after the projects have been approved by the state building commission.

SECTION 6. The allocation made to each agency or department as provided in Section 4 may be applied as determined by the funding board to bear its appropriate portion of discount and costs of issuance.

SECTION 7. Pending the issuance of the definite bonds authorized by this act, the state of Tennessee, acting by resolutions of its funding board, is authorized and empowered to issue and sell, either at public or private sale, together with accrued interest thereon, its interest-bearing bond anticipation note or notes. Such note or notes shall be authorized by resolution of the funding board. The note or notes shall bear such date or dates, bear interest at such rate or rates, be in such denominations, be in such form, be executed in such manner, be payable in such medium of payment, at such place or places, and mature on such date or dates, subject to such terms and conditions as such resolution or resolutions may provide. In its discretion, the funding board may provide that a bond anticipation note or any renewal of such note may mature more than five (5) years from the date of issue of the original note; provided, that an amortization schedule of repayment of principal is established for the project funded by the note and provisions are made such that any note or renewal note or bond refunding such note attributed to the financing of such project shall be redeemed or retired no later than either twenty-five (25) years from the date of issue of such original note or twenty (20) years from the date the project is completed and placed in full service, whichever is earlier. Provisions of general law with respect to authentication, execution, and registration of general obligation bonds of the state of Tennessee shall also apply to the notes to the extent applicable. The note or notes and the interest payable thereon shall be exempt from taxation by the state of Tennessee or by any county, municipality, or taxing district of the state except inheritance, transfer, and estate taxes. Any resolution or resolutions of the funding board authorizing the issuance of such bond anticipation note or notes shall provide that the same are issued in anticipation of the bonds authorized under this act and shall further provide that the full faith and credit and taxing power of the state of Tennessee are pledged to the payment thereof.

In its discretion the funding board is authorized to issue bond anticipation notes, the proceeds of which are to be allocated to the funding board and expended for the purpose of funding discount and the costs of issuance, as part of the two and one-half percent (2.5%) additional amounts authorized by Section 4 of this act.

SECTION 8. No bonds shall be issued under the authority of this act until such time as the general assembly has appropriated sufficient funds to pay the first year's obligation of principal and interest on the amount of bonds to be issued and the state funding board has determined that such funds are available.

SECTION 9. Notwithstanding any other provision of this act to the contrary, the bonds and bond anticipation notes authorized by this act may be designated "college savings bonds" and be issued pursuant to the provisions of the Baccalaureate Education Savings for Tennessee Act, Chapter 190, Public Acts of 1989.

SECTION 10. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 11. No expenditure of public funds pursuant to this act shall be made in violation of the provisions of Title VI of the Civil Rights Act of 1964, as codified in 42 United States Code 2000(d).

SECTION 12. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Johnson moved that the Senate nonconcur in House Amendment No. 1 to **Senate Bill No. 2935**, which motion prevailed.

HOUSE AMENDMENT NO. 2

AMEND by deleting the language "Amazon.com Services, Inc." wherever it appears and substituting instead the language "Amazon.com Services LLC."

Senator Johnson moved that the Senate nonconcur in House Amendment No. 2 to **Senate Bill No. 2935**, which motion prevailed.

HOUSE AMENDMENT NO. 3

AMEND by deleting in Section 1 the language "one hundred sixty-seven million eighty-five thousand dollars (\$167,085,000)" and substituting instead the language "two hundred twenty-one million six hundred ninety-six thousand dollars (\$221,696,000)".

AND FURTHER AMEND by deleting subdivision (4) in Section 4 and substituting instead the following:

(4) Department of Finance and Administration in the amount of thirty-two million nine hundred eleven thousand dollars (\$32,911,000) to be allocated and expended for purposes of the University of Memphis STEM Research and Classroom Building and the acquisition of equipment and sites, and erection, construction and equipment of sites and buildings, expressly including the acquisition of existing structures for expansion, improvements, betterments and extraordinary repairs to existing structures.

(5) Department of Finance and Administration in the amount of twenty-one million seven hundred thousand dollars (\$21,700,000) to be allocated and expended for purposes of the Tennessee Board of Regents – TCAT Chattanooga Advanced Manufacturing Building and the acquisition of equipment and sites, and erection, construction and equipment of sites and buildings, expressly including the acquisition of existing structures for expansion, improvements, betterments and extraordinary repairs to existing structures.

(6) In its discretion the funding board is authorized to issue bonds in amounts not to exceed two and one-half percent (2.5%) of the amounts specified above in subdivisions (1) through (5), the proceeds of which are to be allocated to such

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departments as determined by the funding board and expended for the purpose of funding discount and the costs of issuance.

Senator Johnson moved that the Senate nonconcur in House Amendment No. 3 to **Senate Bill No. 2935**, which motion prevailed.

MOTION

Senator Kelsey moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Resolution No. 188**, out of order, which motion prevailed.

INTRODUCTION OF RESOLUTION

Senate Resolution No. 188 by Senator Kelsey.
Memorials, Public Service -- Vivian E. Jones.

On motion of Senator Kelsey, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Resolution No. 188** was adopted.

A motion to reconsider was tabled.

MOTION

Senator Johnson moved that Rule 8 be suspended for the purpose of allowing the Senate to eat in the Chamber, which motion prevailed.

RECESS

Senator Johnson moved the Senate stand in recess until 6:00 p.m., which motion prevailed.

CALL TO ORDER

The Senate was called to order by Mr. Speaker McNally.

ROLL CALL

The Speaker declared that a quorum was present.

On motion, the roll call was dispensed with.

NOTICES

MESSAGE FROM THE HOUSE

June 17, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1872; substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 17, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2734; substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 17, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1752; substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 17, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1827. The House nonconcurred in Senate Amendment No. 2.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 17, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2156.; The House nonconcurred in Senate Amendment No. 1.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 17, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1772. The House nonconcurred in Senate Amendment No. 1.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 17, 2020

MR. SPEAKER: I am directed to transmit to the Senate, Senate Bill No. 2935. The House refused to recede from its action in adopting House Amendments Nos. 1, 2 and 3.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 17, 2020

MR. SPEAKER: I am directed to transmit to the Senate, Senate Bill No. 2932. The House refused to recede from its action in adopting House Amendments Nos. 1 and 2.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 17, 2020

MR. SPEAKER: I am directed to transmit to the Senate, Senate Bill No. 2931. The House refused to recede from its action in adopting House Amendments Nos. 1, 2, 3, 13 and 17.

TAMMY LETZLER
Chief Clerk

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2931 -- Appropriations -- As enacted, makes appropriations for the fiscal years beginning July 1, 2019, and July 1, 2020.

Senator Johnson moved that the Senate refuse to recede from its action in nonconcurring in House Amendment No. 1 to **Senate Bill No. 2931**, which motion prevailed.

Senator Johnson moved that the Senate refuse to recede from its action in nonconcurring in House Amendment No. 2 to **Senate Bill No. 2931**, which motion prevailed.

Senator Johnson moved that the Senate refuse to recede from its action in nonconcurring in House Amendment No. 3 to **Senate Bill No. 2931**, which motion prevailed.

Senator Johnson moved that the Senate refuse to recede from its action in nonconcurring in House Amendment No. 13 to **Senate Bill No. 2931**, which motion prevailed.

Senator Johnson moved that the Senate refuse to recede from its action in nonconcurring in House Amendment No. 17 to **Senate Bill No. 2931**, which motion prevailed.

Senator Johnson moved that the Speaker appoint a Conference Committee to meet with a like committee from the House to resolve the differences between the two Bodies on Senate Bill No. 2931, which motion prevailed.

**APPOINTMENT OF SELECT COMMITTEE
CONFERENCE COMMITTEE
ON
SENATE BILL NO. 2931**

The Speaker announced the appointment of a Conference Committee composed of Senators Watson, Chairperson; Haile, Johnson, Stevens, Gilmore and Yager to confer with a like committee from the House to resolve the differences of the two Bodies on Senate Bill No. 2931.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2932 -- Budget Procedures -- As enacted, makes revisions to general law necessary to implement the annual appropriations act; requires dealers with physical presence in this state to register with department of revenue to collect and remit sales tax. Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 10; Title 12; Title 13; Title 16; Title 17; Title 18; Title 29; Title 33; Title 36; Title 37; Title 38; Title 39; Title 40; Title 41; Title 42; Title 43; Title 44; Title 45; Title 47; Title 48; Title 49; Title 50; Title 53; Title 54; Title 55; Title 56; Title 57; Title 58; Title 59; Title 60; Title 61; Title 62; Title 63; Title 64; Title 65; Title 66; Title 67; Title 68; Title 69; Title 70 and Title 71.

Senator Johnson moved that the Senate refuse to recede from its action in nonconcurring in House Amendment No. 1 to **Senate Bill No. 2932**, which motion prevailed.

Senator Johnson moved that the Senate refuse to recede from its action in nonconcurring in House Amendment No. 2 to **Senate Bill No. 2932**, which motion prevailed.

Senator Johnson moved that the Speaker appoint a Conference Committee to meet with a like committee from the House to resolve the differences between the two Bodies on Senate Bill No. 2932, which motion prevailed.

**APPOINTMENT OF SELECT COMMITTEE
CONFERENCE COMMITTEE
ON
SENATE BILL NO. 2932**

The Speaker announced the appointment of a Conference Committee composed of Senators Watson, Chairperson; Haile, Johnson, Stevens, Gilmore and Yager to confer with a like committee from the House to resolve the differences of the two Bodies on Senate Bill No. 2932.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2935 -- Bond Issues -- As enacted, authorizes the state, acting by resolution of its funding board, to issue and sell its interest-bearing bonds and bond anticipation notes for certain purposes.

Senator Johnson moved that the Senate refuse to recede from its action in nonconcurring in House Amendment No. 1 to **Senate Bill No. 2935**, which motion prevailed.

Senator Johnson moved that the Senate refuse to recede from its action in nonconcurring in House Amendment No. 2 to **Senate Bill No. 2935**, which motion prevailed.

Senator Johnson moved that the Senate refuse to recede from its action in nonconcurring in House Amendment No. 3 to **Senate Bill No. 2935**, which motion prevailed.

Senator Johnson moved that the Speaker appoint a Conference Committee to meet with a like committee from the House to resolve the differences between the two Bodies on Senate Bill No. 2935, which motion prevailed.

**APPOINTMENT OF SELECT COMMITTEE
CONFERENCE COMMITTEE
ON
SENATE BILL NO. 2935**

The Speaker announced the appointment of a Conference Committee composed of Senators Watson, Chairperson; Haile, Johnson, Stevens, Gilmore and Yager to confer with a like committee from the House to resolve the differences of the two Bodies on Senate Bill No. 2935.

MESSAGE FROM THE HOUSE
June 15, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1699. The House refused to recede from its action in nonconcurring in Senate Amendment No. 3. The Speaker appointed a Conference Committee composed of Reps. Smith, Hill (Wash) and Freeman to confer with a like committee from the Senate in open conference to resolve the differences between the bodies on House Bill No. 1699.

TAMMY LETZLER
Chief Clerk

Senator Bailey moved that the Speaker appoint a Conference Committee to meet with a like committee from the House to resolve the differences between the two Bodies on House Bill No. 1699, which motion prevailed.

**APPOINTMENT OF SELECT COMMITTEE
CONFERENCE COMMITTEE
ON
HOUSE BILL NO. 1699**

The Speaker announced the appointment of a Conference Committee composed of Senators Bailey, Chairperson; Yarbrow and Haile to confer with a like committee from the House to resolve the differences of the two Bodies on House Bill No. 1699.

NOTICE

**COMMITTEE ON CALENDAR'S THIRD REPORT ON
QUALIFIED ANNUAL EVENTS FOR 2019-2020**

Pursuant to Rule 76(1), the report was received and filed with the Clerk.

RECESS

Senator Johnson moved the senate recess for 10 minutes, which motion prevailed.

CALL TO ORDER

The Senate was called to order by Mr. Speaker McNally.

ROLL CALL

The Speaker declared that a quorum was present.

On motion, the roll call was dispensed with.

MR. SPEAKER MCNALLY RELINQUISHES CHAIR

Mr. Speaker McNally relinquished the Chair to Senator Stevens.

MOTION

Senator Johnson moved that Rule 44 be suspended for the purpose of considering Message Calendar No. 2 for Wednesday, June 17, 2020, which motion prevailed.

MESSAGE CALENDAR NO. 2

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 1752 -- Pensions and Retirement Benefits -- As introduced, makes state correctional officers who are members of the state retirement system eligible for service retirement after completing 25 years of creditable service. Amends TCA Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36 and Title 8, Chapter 37.

HOUSE AMENDMENT NO. 1

AMEND by adding the following language after Section 1 and renumbering the subsequent sections accordingly:

SECTION 2. Tennessee Code Annotated, Section 8-36-308(a), is amended by inserting the language "person in a position covered by the definition of emergency medical services personnel in § 68-140-302," immediately before the language "police officer".

SECTION 3. Tennessee Code Annotated, Section 8-36-308(a), is amended by inserting the language "person's," immediately before the language "police officer's".

SECTION 4. Tennessee Code Annotated, Section 8-36-308(b), is amended by inserting the language "person in a position covered by the definition of emergency medical services personnel in § 68-140-302," immediately before the language "police officer".

SECTION 5. Tennessee Code Annotated, Section 8-36-308(b), is amended by inserting the language "emergency medical services personnel as defined in § 68-140-302," immediately before the language "police officers".

SECTION 6. Tennessee Code Annotated, Section 8-36-308(c), is amended by inserting the language "person in a position covered by the definition of emergency medical services personnel in § 68-140-302," immediately before the language "police officer" wherever it appears in the subsection.

Senator Lundberg moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 1752**, which motion prevailed by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 1872 -- Motor Vehicles -- As introduced, authorizes off-highway vehicles to be operated on a certain segment of a state highway in Johnson County; makes other revisions related to the Doe Mountain recreation area. Amends TCA Title 11, Chapter 25; Title 54 and Title 55.

HOUSE AMENDMENT NO. 2

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-8-185(c)(1), is amended by adding the following as a new subdivision:

() State Route 167 from its intersection with Rainbow Road to its intersection with Dotson Lane, within the jurisdiction of Mountain City in Johnson County, which segment is approximately one-half (.5) mile.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Lundberg moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 1872**, which motion prevailed by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Lundberg, Massey, Niceley, Pody,

Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2381 -- Civil Procedure -- As introduced, changes, from not less than five days to not less than seven days before a hearing, the time the opposing party has to file a response to a petition under the Tennessee Public Participation Act. Amends TCA Title 1; Title 5; Title 6; Title 7; Title 8; Title 9; Title 20; Title 27; Title 28; Title 29; Title 47 and Title 49.

HOUSE AMENDMENT NO. 2

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 34, is amended by adding Sections 2 through 8 as a new part.

SECTION 2. This part shall be known and may be cited as the "Tennessee Recovery and Safe Harbor Act."

SECTION 3. As used in this part:

(1) "Coronavirus" means both the novel coronavirus, SARS-CoV-2, and coronavirus disease 2019, commonly referred to as COVID-19, for which the governor issued Executive Order Number 14 declaring a state of emergency, including any mutation of SARS-CoV-2 or COVID-19 that is the subject of a declared public health emergency pursuant to § 58-2-107;

(2) "Covered entity" means the following entities, organizations, and any employee, volunteer, independent contractor, and subcontractor of the entity:

(A) A person, including an individual, sole proprietorship, corporation, limited liability company, partnership, trust, religious organization, association, nonprofit organization described in § 501(c) of the Internal Revenue Code that is exempt from federal income taxation under § 501(a) of the Internal Revenue Code, 26 U.S.C. § 501(a), or any other legal entity whether formed as a for-profit or not-for-profit entity pursuant to title 48;

(B) A healthcare provider; and

(C) A school, other than a public school as defined by § 49-6-3001(c)(3) or public institution of higher education, including a child care agency, as defined

in § 71-3-501, preschool, nursery school, kindergarten, elementary school, secondary school, or postsecondary institution authorized or exempt under title 49, chapter 7;

(3) "Health emergency claim" means any claim that proximately arises from:

(A) The actual, alleged, or possible exposure to or contraction of coronavirus from a covered entity or from a covered entity's operations, products, or services, whether provided on or off the premises of the covered entity; or

(B) The covered entity's efforts to prevent or minimize the spread of coronavirus, including, but not limited to, the following:

(i) Implementing policies and procedures to prevent or minimize the spread of coronavirus;

(ii) Testing;

(iii) Monitoring, collecting, reporting, tracking, tracing, disclosing, or investigating coronavirus exposure or other coronavirus-related information;

(iv) Using, designing, manufacturing, providing, donating, or servicing precautionary, diagnostic, collection, or other health equipment or supplies, such as personal protective equipment;

(v) Closing, partially closing, or modifying a covered entity pursuant to any public health guidance or to prevent or minimize the spread of coronavirus;

(vi) Delaying or modifying the schedule or performance of any medical procedure in response to public health guidance; or

(v) Altering or discontinuing activities or services;

(4) "Healthcare provider" means:

(A) A healthcare provider that is licensed, certified, or authorized under title 33, 63, or 68 to provide healthcare or support services, or that is licensed to provide healthcare services under federal law, and any support personnel employed by such provider;

(B) A student, intern, or resident acting under the supervision of a licensed healthcare provider for the discipline in which the student, intern, or resident is engaged; and

(C) Any medical or healthcare professional, individual, support personnel, or entity holding a license, registration, permit, certification, or approval pursuant to an executive order, including a temporary emergency license, registration, permit, certification, or approval, to practice a healthcare profession or occupation in this state, including under the Public Readiness and Emergency Preparedness Act and the final version of the U.S. Department of Homeland Security Cybersecurity and Infrastructure Security

Agency Guidance on Essential Critical Infrastructure Workers, and any declaration of the federal department of health and human services in accordance with such act, under any emergency proclamation, order, or rule, adopted by a licensing board or agency pursuant to an authorizing emergency proclamation or executive order, or otherwise in response to the coronavirus; and

(5) "Public health guidance" means guidance or direction provided in any plan, order, rule, or guidelines issued by the following, that is related to coronavirus and applicable to the covered entity:

(A) The president of the United States;

(B) The federal or state government;

(C) A local government, as authorized by the state government;

(D) The federal centers for disease control and prevention;

(E) The department of homeland security;

(F) An applicable federal or state occupational safety and health administration;

(G) The governor;

(H) The department of health;

(I) A public health department, as authorized by state government;

(J) A government agency or appointed taskforce or workgroup; or

(K) A medical specialty society accredited by the American Board of Medical Societies that is applicable to a covered entity and healthcare provider or to the health emergency claim at issue.

SECTION 4.

(a)

(1) Notwithstanding any law to the contrary, a covered entity is not liable for damages, injury, or death that results from, or in connection with, a health emergency claim unless the claimant proves by clear and convincing evidence that the covered entity caused the damages, injury, or death by acting with gross negligence or willful misconduct.

(2) In addition to the limitation of liability provided under subdivision (a)(1), and notwithstanding any law to the contrary, a healthcare provider who provides healthcare services or treatment to a patient who has or is suspected of having coronavirus is not liable for any injury or death alleged to have been caused by an act or omission of the healthcare provider during the provision of

healthcare services or treatment if the act or omission resulted from or was negatively affected by a lack of resources caused by the coronavirus unless the lack of resources resulted from the healthcare provider's gross negligence or willful misconduct.

(3) If a covered entity acted in substantial compliance with any public health guidance applicable to the covered entity, there is a rebuttable presumption that the covered entity did not act in a manner that constitutes gross negligence or willful misconduct.

(b)

(1) In a health emergency claim, the claimant must file a verified complaint pleading specific facts with particularity from which a finder of fact could reasonably conclude that the harm alleged was caused by gross negligence or willful misconduct.

(2) In a health emergency claim as defined in Section 3(3)(A), the claimant or claimant's counsel must file a certificate of good faith with the complaint stating that the claimant or claimant's counsel has consulted with one (1) or more experts, who practice in the community in which the defendant is located, or in a similar community at the time of the alleged gross negligence or willful misconduct, and the expert has provided a signed written statement confirming that upon information and belief, the expert believes there is a good faith basis for maintaining a health emergency claim as defined in Section 3(3)(A). The failure of a claimant to file a certificate of good faith in compliance with this subdivision (b)(2) makes, upon motion, the action subject to dismissal with prejudice.

(c) In any action brought under this section, the plaintiff bears the burden of proof to demonstrate the specific act or omission by the covered entity that constitutes gross negligence or willful misconduct.

SECTION 5. This part does not amend, repeal, or limit any immunity, defense, or right that exists under current law or any contract that applies to a covered entity in a cause of action. The limitation of liability provided by this part is intended to be in addition to any other immunity, defense, and right that exist under current law or contract.

SECTION 6. This part must be construed in conjunction with the Facilitating Business Rapid Response to State Declared Disaster Act, compiled in title 58, chapter 2, and any emergency order or proclamation issued by the governor relating to the coronavirus and civil liability.

SECTION 7. This part does not:

(1) Create a cause of action;

(2) Eliminate a required element of any existing cause of action;

(3) Affect workers' compensation claims, under the Workers' Compensation Law, compiled in title 50, chapter 6, including the exclusive application of such law; or

(4) Amend, repeal, alter, or affect any immunity or limitation of liability available under current law.

SECTION 8.

(a) This part applies to causes of action accruing on or after the effective date of this act.

(b) This part remains in effect until July 1, 2022. Any health emergency claim in which the act or omission occurred while this part is in effect is subject to this part in perpetuity.

SECTION 9. Tennessee Code Annotated, Section 29-20-205, is amended by adding the following as a new subdivision:

(10) Or in connection with any loss, illness, or injury occurring before July 1, 2022, caused directly or indirectly by the coronavirus, as defined in Section 3, or as a result of action or inaction by any governmental entity or any of the entity's employees in response to or related to the coronavirus, unless the loss, illness, or injury was caused by gross negligence or willful misconduct of the governmental entity or the entity's employees. If a governmental entity's operations were conducted in substantial compliance with public health guidance applicable to the governmental entity, the entity and the entity's employees are presumed to have been acting in a manner that was not gross negligence or willful misconduct.

SECTION 10. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following as a new section:

A public institution of higher education is not liable for any act or omission by the institution or the institution's employees or agents that results in alleged, actual, or possible exposure to, contraction of, or illness or death arising from coronavirus, as defined in Section 3.

SECTION 11. Tennessee Code Annotated, Section 9-8-307, is amended by adding the following as a new subsection:

Notwithstanding any provision of this chapter to the contrary, the state does not waive sovereign immunity for civil liability for any act or omission by the state or any employee or agent of the state that results in alleged, actual, or possible exposure to, contraction of, or illness or death arising from coronavirus, as defined in Section 3.

SECTION 12. This act shall take effect upon becoming a law, the public welfare requiring it, and applies to causes of action accruing on or after that date. This act shall cease to be effective July 1, 2022.

Senator Bell moved that the Senate nonconcur in House Amendment No. 2 to **Senate Bill No. 2381**, which motion prevailed.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2734 -- Sentencing -- As introduced, removes requirement that a person convicted of a drug offense in a drug-free school zone must serve the entire minimum sentence imposed before being eligible for release on parole; decreases the drug-free school zone from 1,000 feet to 500 feet; makes various changes to sentencing requirements for certain controlled substance violations. Amends TCA Title 16, Chapter 2; Title 39, Chapter 17, Part 4 and Section 49-2-116.

HOUSE AMENDMENT NO. 2

AMEND by deleting the effective date section and substituting instead the following:

SECTION __. This act shall take effect September 1, 2020, the public welfare requiring it, and applies to offenses committed on or after that date.

Senator Bell moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 2734**, which motion prevailed by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1827 -- Textbooks -- As introduced, requires publishers to make all textbooks and instructional materials proposed for adoption available on the website of the department of education or the state textbook depository for inspection by LEAs and the public. Amends TCA Title 49, Chapter 6, Part 22.

Senator Gresham moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 2 to **House Bill No. 1827**, which motion prevailed.

Senator Lundberg moved that **House Bill No. 2156** be placed on the Calendar for Thursday, June 18, 2020, which motion prevailed.

NOTICE

MESSAGE FROM THE HOUSE

June 17, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2492; substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MOTION

Senator Dickerson moved that Rule 44 be suspended for the immediate consideration of **Senate Bill No. 2492**, out of order, which motion prevailed.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2492 -- Alcoholic Beverages -- As introduced, deletes an antiquated reporting requirement relating to an expired pilot project of the alcoholic beverage commission related to the sale of alcoholic beverages and beer on the premises. Amends TCA Title 57.

On motion of Senator Dickerson, the rules were suspended for the immediate consideration of the bill.

HOUSE AMENDMENT NO. 2

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following new subdivisions:

() A commercially operated facility possessing each of the following characteristics:

(i) Has a marina with at least eighty-five (85) boat slips on Dale Hollow Lake at the confluence of the East and West Forks of the Obey River;

(ii) Has a restaurant with seating for approximately eighty (80) patrons;

(iii) Has assorted boats and at least twelve (12) cabins available for rent; and

(iv) Is located in a county having a population of not less than five thousand (5,000) and not more than five thousand one hundred (5,100), according to the 2010 federal census or any subsequent federal census;

() A commercially operated facility possessing each of the following characteristics:

(i) Is located approximately one (1) mile from Dale Hollow Lake, containing an area of ninety (90) acres;

(ii) Has a six-thousand-square-foot barn with a commercial kitchen used for events;

(iii) Has at least two (2) cabins for rent; and

(iv) Is located on Bolestown Road in a county having a population of not less than five thousand (5,000) and not more than five thousand one hundred (5,100), according to the 2010 federal census or any subsequent federal census;

() A commercially owned marina containing all of the following characteristics:

(i) Is located on at least twenty-five (25) acres of land located off of Livingston Boat Dock Road in a county having a population of not less than seven thousand eight hundred fifty-one (7,851) and not more than seven thousand eight hundred sixty-five (7,865), according to the 2010 federal census or any subsequent federal census;

(ii) Has a two-story restaurant that seats at least one hundred eighty (180) people;

(iii) Has at least three hundred fifty-five (355) boat slips and a full-service marina on Dale Hollow Lake; and

(iv) Includes at least ten (10) rental cabins;

() A commercially owned marina containing all of the following characteristics:

(i) Is located on at least forty (40) acres of land located off of state highway 294 in a county having a population of not less than seven thousand eight hundred fifty-one (7,851) and not more than seven thousand eight hundred sixty-five (7,865), according to the 2010 federal census or any subsequent federal census;

(ii) Has a restaurant that seats at least fifty (50) people;

(iii) Has approximately three hundred fifty (350) boat slips and a full-service marina on Dale Hollow Lake; and

(iv) Includes at least eleven (11) rental cabins;

SECTION 2. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

(i) A commercially operated facility that:

(a) Is located on approximately two hundred seventy (270) acres of land and sits approximately nineteen (19) miles south of highway 24 in a county with a population of not less than forty-five thousand (45,000) and not more than forty-five thousand one hundred (45,100), according to the 2010 and any subsequent federal census;

(b) Is located on property that is separately licensed to produce, bottle, and store distilled spirits;

(c) Is located on property that offers tours and tastings, as well as the retail sale of merchandise and bottles of spirits and contains the global headquarters for a premium Tennessee whiskey company;

(d) Is located on property that includes a welcome center, three (3) tasting rooms, distillery building, barrel storage facilities, a pond, museum, bar, restaurant, commercial kitchen, miniature golf course, and live music venue;

(e) Is located on property that serves as a horse breeding and training facility;

(f) Is located on property that is a production site and a venue for weddings, meetings, conferences, concerts, and special events; and

(g) Has a restaurant that serves lunch and dinner, and caters for events with seating for at least forty-five (45) guests;

(ii) The commission and any beer board having jurisdiction over the facility may issue one (1) or more licenses to one (1) or more different persons or entities that meet the qualifications of this subdivision (27)(); provided, that the persons or entities obtaining licenses under this subdivision (27)() (ii) and any manufacturer licensed under § 57-3-202 comply with the requirements of § 57-4-110;

(iii) The premises of a facility licensed under this subdivision (27)() means any or all of the property that constitutes the facility; provided, that the premises must not include the premises of a manufacturer licensed under § 57-3-202 or any other facility licensed under this subdivision (27)(), except as authorized pursuant to § 57-4-101(p). The licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing; and

(iv) Notwithstanding any provision of chapter 5 of this title to the contrary, the premises of any facility licensed under this subdivision (27)() means for beer permitting purposes any or all of the property that constitutes the facility; provided, however, that the premises must not include the premises of a licensee under § 57-3-202 or any other facility licensed under this subdivision (27)(), except as authorized pursuant to § 57-4-101(p). The beer permittee shall designate the premises to be permitted by the local beer board by filing a drawing of the premises, which may be amended by the beer permittee filing a new drawing;

SECTION 3. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

() A commercially operated restaurant, resort, and boat dock with fuel having the following characteristics:

(i) Possesses at least twenty (20) acres of U.S. corps of engineers leased water and water frontage on Old Hickory Lake and two thousand feet

(2000') of river channel at the southeast corner of the confluence of Old Hickory Lake and State Highway 109;

- (ii) Has operated for at least sixty (60) straight years on this site;
- (iii) Possesses at least sixty-five (65) full service paved camp sites;
- (iv) Possesses boat slips for at least two hundred fifty (250) boats; and
- (v) Is located on at least ten (10) acres of real property at that site;

SECTION 4. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

() A commercially operated facility that:

- (i) Includes an eighteen-hole golf course, a seven-thousand-square-foot clubhouse with a pro shop, banquet room, and restaurant with seating for at least forty (40) patrons;
- (ii) Contains at least one hundred (100) acres and less than two hundred (200) acres; and
- (iii) Is located less than one (1) mile from Fort Loudon Lake on Kingston Pike in a county having a population of not less than four hundred thirty-two thousand two hundred (432,200) nor more than four hundred thirty-two thousand three hundred (432,300), according to the 2010 federal census or any subsequent federal census;

SECTION 5. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following new subdivision:

() A commercially operated independent and assisted living facility possessing the following characteristics:

- (i) Is located in a county having a population of not less than nine hundred thousand (900,000), according to the 2010 federal census or any subsequent federal census;
- (ii) Has both independent and assisted living facilities available and provides memory care and respite service;
- (iii) Has several full-service restaurants and dining rooms to service the residents but that are also open to the public and that serve three (3) chef-prepared meals per day;
- (iv) Has a complete wellness and fitness facility available that accommodates physical and occupational therapy;
- (v) Has complete recreational facilities for its residents;

(vi) Has not less than one hundred thirty-five (135) individual living unit apartments for residents;

(vii) Does not discriminate against any patron on the basis of gender, race, religion, or national origin; and

(viii) Has a full-service barber and beauty salon;

SECTION 6. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

()

(i) A commercially operated facility having all of the following characteristics:

(a) The facility is located on approximately five hundred (500) acres of land;

(b) The facility is located less than three (3) miles north of an area designated as The South Cumberland State Park consisting of approximately thirty thousand (30,000) acres that is open to the public;

(c) The facility is located within five (5) miles of Interstate 24 in a county having a population of not less than thirteen thousand seven hundred (13,700) nor more than thirteen thousand seven hundred fifty (13,750), according to the 2010 federal census or any subsequent federal census;

(d) The facility includes two (2) cabins, a tiny house, a stage, three (3) fishing ponds, a check-in facility, a bathhouse, fifty (50) RV hookups, multiple hiking trails, frisbee golf, and a wedding pavilion;

(e) The facility serves as a venue for weddings, meetings, and conferences; and

(f) The facility has two (2) event centers that can accommodate at least one hundred fifty (150) guests at each center;

(ii) The premises of any facility licensed under this subdivision (27)() means any or all of the property that constitutes the facility. The licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing. The entire designated premises is covered under one (1) license issued under this subdivision (27)();

(iii) Notwithstanding any provision of chapter 5 of this title to the contrary, the premises of any facility licensed under this subdivision (27)() means, for beer permitting purposes, any or all of the property that constitutes the facility. The beer permittee shall designate the premises to be permitted by the local beer board by filing a drawing of the premises, which may be

amended by the beer permittee filing a new drawing. The entire designated premises is covered under one (1) beer permit issued under chapter 5 of this title;

(iv) The requirements of § 57-5-105(b)(1) do not apply to any facility licensed under this subdivision (27)() ; and

(v) Any facility licensed under this subdivision (27)() may seek an additional license as a caterer under this chapter;

SECTION 7. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following new subdivisions:

() A commercially operated facility having the following characteristics:

(i) Contains a restaurant in a free-standing building with retail space and consisting of approximately three thousand square feet (3,000 sq. ft.); and

(ii) Is located at the intersection of state highways 46 and 100 in a county having a population of not less than twenty-four thousand six hundred seventy-six (24,676) nor more than twenty-four thousand seven hundred (24,700), according to the 2010 federal census or any subsequent federal census;

() A commercially operated facility having the following characteristics:

(i) Contains a full-service restaurant with seating for at least twenty-nine patrons inside and fourteen (14) patrons outside and that does not use a freezer or a fryer; and

(ii) Is located less than one thousand feet (1,000') from a United States Post Office and approximately one mile (1 mi.) from a state natural area featuring a small remnant forest having old growth forest characteristics in a county having a population of not less than twenty-four thousand six hundred seventy-six (24,676) nor more than twenty-four thousand seven hundred (24,700), according to the 2010 federal census or any subsequent federal census;

() A commercially operated facility having the following characteristics:

(i) Contains a full-service restaurant that features live music and that is adjacent to a custom motorcycle shop; and

(ii) Is located less than three hundred feet (300') from a United States Post Office and approximately one mile (1 mi.) from a state natural area featuring a small remnant forest having old growth forest characteristics in a county having a population of not less than twenty-four thousand six hundred seventy-six (24,676) nor more than twenty-four thousand seven hundred (24,700), according to the 2010 federal census or any subsequent federal census;

SECTION 8. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following language as a new subdivision:

() A commercially operated facility possessing each of the following characteristics:

(i) Contains a restaurant that has been in operation since at least 2012 with at least forty-two (42) seats inside and seventy-five (75) seats outside;

(ii) Contains a banquet hall that is used for weddings, banquets, meetings, and other events and is at least three thousand square feet (3,000 sq. ft.); and

(iii) Is located approximately seven hundred (700) yards from state highway 641 South and is adjacent to a winery in a county having a population of not less than thirty-two thousand three hundred one (32,301) nor more than thirty-two thousand four hundred (32,400), according to the 2010 federal census or any subsequent federal census;

SECTION 9. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following new subdivisions:

() A commercially operated marina having the following characteristics:

() Has open and covered boat slips, a store, a restaurant, and a fuel dock;

() Has cabins and RV campsites available for rent; and

() Is located on Cordell Hull Lake approximately three thousand feet (3,000') from the confluence of Defeated Creek and the Cumberland River in a county having a population of not less than nineteen thousand one hundred fifty-one (19,151) nor more than nineteen thousand two hundred (19,200), according to the 2010 federal census or any subsequent federal census;

() A commercially operated restaurant having the following characteristics:

() Has a structure of not less than two thousand square feet (2,000 sq. ft.) that has seating at tables and at the bar for at least ninety-six (96) guests and serves at least one (1) meal a day seven (7) days a week, with the exception of holidays, vacations, and periods of redecorating; and

() Is located approximately two thousand five hundred feet (2,500') from two (2) islands in Old Hickory Lake in a county having a population of not less than one hundred thirteen thousand nine hundred (113,900) nor more than one hundred fourteen thousand (114,000), according to the 2010 federal census or any subsequent federal census;

SECTION 10. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

() A commercially operated marina possessing each of the following characteristics:

(i) Is located on Norris Lake in a county having a population of not less than forty thousand seven hundred (40,700) nor more than forty thousand eight hundred (40,800), according to the 2010 federal census or any subsequent federal census;

(ii) Has at least sixty (60) covered boat slips and at least twelve (12) uncovered boat slips;

(iii) Has a ship store offering gasoline and other boating supplies and a restaurant with seating for at least eighty (80) patrons, including indoor and outdoor seating; and

(iv) Is located approximately one and one-half (1 ½) miles from a county-owned, public-use airport with a runway four thousand feet (4,000') in length;

SECTION 11. Tennessee Code Annotated, Section 57-4-102(27) is amended by adding the following new subdivision:

(i) A commercially operated facility that:

(a) Has a limestone quarry that sits approximately one thousand seven hundred feet (1,700') southeast of Interstate 65, two thousand seven hundred feet (2,700') south of Interstate 840, and four and six-tenths (4.6) miles north of the junction of US 431 and State Route 247;

(b) Is a venue for live music, weddings, meetings, and other events;

(c) Serves or sells food to patrons;

(d) Has an outdoor amphitheater with a capacity for at least seven thousand (7,000) guests;

(e) Has exclusive or non-exclusive rights to possess or use a commercial kitchen or service kitchen where food is staged and served; and

(f) Is located in a county having a population of not less than one hundred eighty-three thousand one hundred (183,100) and not more than one hundred eighty-three thousand two hundred (183,200), according to the 2010 federal census or any subsequent federal census;

(ii) The premises of any facility licensed under this subdivision (27)() means any and all of the property that constitutes the facility, including all enclosed and outdoor areas of the property. The licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing;

(iii) Any facility as described in this subdivision (27)(), may hold any of the licenses authorized under this subdivision (27)() and shall have the privilege of granting a franchise to one (1) or more entities authorizing such an entity to provide food or beverages, including alcoholic beverages and beer, on its premises; provided, that any separate entity must apply to the commission for a separate license, except for an entity already licensed under subdivision (6). For purposes of this subdivision (27)(), the licensee is not required to have exclusive control of a commercial kitchen or any service kitchen, where food is staged and served, as a condition of the license;

(iv) Any licensed entity that holds a license under this subdivision (27)() may store alcoholic beverages and beer at one (1) or more storage locations in the facility and in any commercial kitchen or service kitchen within the facility; provided, that each licensed entity shall store its inventory of alcoholic beverages and beer in a separately locked cage or other storage area;

(v) Notwithstanding § 57-4-101(p), any facility licensed under this subdivision (27)() may serve wine, high gravity beer and beer in its original container, and spirit-based beverages in original containers that do not exceed three hundred seventy-five milliliters (375 ml) and an alcohol content that does not exceed fifteen percent (15%) by volume, or in unlabeled cups or glassware, or in labeled cups or glassware identifying the licensee as the entity selling the alcoholic beverages or beer for on-premise consumption anywhere within the facility. Any franchisee holding a license under this subdivision (27)() shall comply with the requirements of § 57-4-101(p); provided, however, that a sticker identifying the licensee, which is reasonably designed to stay affixed to a container, cup, or glassware, must comply with § 57-4-101(p);

(vi) The commission shall enforce chapter 4 of this title against each licensee under this subdivision (27)() and shall not cite, penalize, or take any other adverse action against a licensee for any violation committed by another licensee on the licensed premises. There is a rebuttable presumption of liability for a specific licensee for any underage sale or other violation based on the unlabeled or labeled container, or unlabeled or labeled cup or glassware, as required pursuant to subdivision (27)()(v), provided to the minor. In the absence of a container, glass, or cup identifying the licensee, the commission has the discretion to determine which licensee to cite for an underage sale or other such violation. If the commission is unable to determine which licensee committed the violation after conducting a reasonable investigation, the commission may issue a citation to one (1) or more licensees that share the premises where the violation occurred;

(vii) Notwithstanding any provision of chapter 5 of this title to the contrary, the premises of any facility described under this subdivision (27)() means, for the purpose of obtaining a beer permit, any and all of the property that constitutes the facility, including all enclosed and outdoor areas of the property. The beer permittee shall designate the premises to be licensed by the local beer board by filing a drawing of the premises, which may be amended by the beer permittee filing a new drawing. The beer board shall enforce chapter 5 of this title against each licensee as a beer permittee and shall not cite, penalize, or take any other adverse action against a licensee for any violation committed by another licensee on the licensed premises. There is a rebuttable presumption of liability for a specific licensee for any underage

sale or other violation based on the unlabeled or labeled container, or unlabeled or labeled cup or glassware, as required pursuant to subdivision (27)(v), provided to the minor. In the absence of a container, glass, or cup identifying the licensee, the local beer board has the discretion to determine which licensee to cite for an underage sale or other such violation. If the beer board is unable to determine which licensee committed the violation after conducting a reasonable investigation, the beer board may issue a citation to one (1) or more licensees that share the premises where the violation occurred;

(viii) Notwithstanding § 57-4-203(e)(1), any licensee licensed under this subdivision (27)() may sell and distribute wine in any unsealed container for consumption on the licensed premises;

(ix) Any licensee licensed under this subdivision (27)() may seek an additional license as a caterer under chapter 4 of this title, and is not required to comply with the requirements of § 57-4-102(6)(A) or show exclusive control of a commercial kitchen or any service kitchen, where food is staged and served, as a condition of the license. Caterers licensed under this subdivision (27)() may store alcoholic beverages and beer in any shared commercial kitchen or service kitchen. The inventory of alcoholic beverages and beer must be stored in a separately locked cage or other storage area;

(x) Nothing in this subdivision (27)() may be construed to prevent a facility, as described under this subdivision (27)(), from designating any area of its premises for purposes authorized under this subdivision (27)(), or for the purposes of an entity licensed under this title; provided, that premises designated for use by another entity under this title are no longer part of the premises of any license issued under this subdivision (27)(), except as provided in § 57-4-101(p); and

(xi) The facility, landlord, tenant, or any licensee located in the facility shall provide periodic security for the entire licensed premises;

SECTION 12. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

()

(i) A commercially operated recreational facility having all of the following characteristics:

(a) The facility is located approximately one mile (1 mi.) from the confluence of Clear Creek and the Obed River and is centrally located in one of this state's rock climbing meccas;

(b) The facility is located on approximately forty (40) acres;

(c) The facility provides at least forty (40) campsites and contains a restaurant and a brewery; and

(d) The facility is located in a county having a population of not less than twenty-one thousand nine hundred (21,900) nor more than

twenty-two thousand (22,000), according to the 2010 federal census or any subsequent federal census; and

(ii) The premises of any facility licensed under this subdivision (27)() means any or all of the property that constitutes the facility. A licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing;

SECTION 13. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

() A commercially operated facility possessing each of the following characteristics:

(i) Has an outdoor waterpark site covering at least fifty (50) acres that has a wave pool and other water attractions that contain at least one million seven hundred thousand (1,700,000) gallons of water; and

(ii) Is located approximately five hundred feet (500') south of a municipal convention center, approximately two thousand two hundred feet (2,200') west of a state highway named in honor of a former governor of this state, and in a county having a population of not less than eighty-nine thousand eight hundred (89,800) nor more than eighty-nine thousand nine hundred (89,900), according to the 2010 federal census or any subsequent federal census;

SECTION 14. Tennessee Code Annotated, Section 57-4-102(13), is amended by adding the following new subdivision:

() "Community theater" also means a theater possessing each of the following characteristics:

(i) The theater began operating in 1965;

(ii) The theater is the only major nonprofit professional performing arts resource in rural Tennessee, and one (1) of the ten (10) largest professional theaters in rural America;

(iii) The theater serves more than one hundred forty-five thousand (145,000) visitors annually with two (2) indoor and two (2) outdoor stages;

(iv) The theater provides young audience productions, a comprehensive dance program, a concert series, and touring shows;

(v) The theater was the recipient of the Governor's Arts Award for the state of Tennessee in 1984;

(vi) The theater is operated by a nonprofit corporation that is exempt from taxation under § 501(c) of the Internal Revenue Code of 1954 (26 U.S.C. § 501(c)), as amended, where no member, officer, agent, or employee of the theater is paid, or directly or indirectly receives, in the form of salary or other

compensation, any profits from the sale of alcoholic beverages beyond the amount of the salary as may be fixed by its governing body for the reasonable performance of the person's assigned duties. All profits from the sale of alcoholic beverages by the nonprofit corporation must be used for the operation, renovation, refurbishing, and maintenance of the theater, and in furtherance of the purposes of the organization. Alcoholic beverages may be sold before, during, and after performances, and may be consumed inside any auditorium or performance hall within the theater, or on theater property contiguous to an outdoor performance stage; and

(vii) The theater is located in a city having a population of not less than ten thousand seven hundred ninety (10,790) and not more than ten thousand seven hundred ninety-nine (10,799), according to the 2010 federal census or any subsequent federal census;

SECTION 15. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following new subdivision:

() A commercially operated facility that:

(i)

(a) Serves as an event venue for weddings, a farmer's market, photography, birthdays, festivals, and similar events;

(b) Contains a small and large dog park with obstacle courses and a dog wash station;

(c) Contains a tree grove;

(d) Operates a facility that is greater than seventeen thousand square feet (17,000 sq. ft.) containing a dual convention space that can accommodate up to five hundred (500) people, and a restaurant with indoor and outdoor seating for approximately two hundred (200) guests;

(e) Offers scenic mountain overlook views; and

(f) Is located in a municipality with a population of not less than nine thousand eight hundred forty (9,840) and not more than nine thousand eight hundred forty-nine (9,849);

(ii) The premises of any facility licensed under this subdivision (27)() means any or all of the property that constitutes the facility. The licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing. The designated premises may only include property owned or leased by the facility and that is contiguous to the property of the facility that is defined in this subdivision (27)(). The entire designated premises is covered under one (1) license issued under this subdivision (27)(); and

(iii) Notwithstanding any provision of chapter 5 of this title to the contrary, the premises of any facility licensed under this subdivision (27)() means, for beer permitting purposes, any or all of the property that constitutes the facility. The beer permittee shall designate the premises to be permitted by the local beer board by filing a drawing of the premises, which may be amended by the beer permittee filing a new drawing. The entire designated premises is covered under one (1) beer permit issued under chapter 5 of this title;

SECTION 16. Tennessee Code Annotated, Section 57-4-102(11), is amended by deleting the subdivision and substituting instead the following:

(11) "Commercial passenger boat company" means a company that operates one (1) or more passenger vessels for hire upon navigable waterways and is licensed by the United States Coast Guard to carry not less than fifty (50) passengers on a single vessel. A commercial passenger boat company licensed pursuant to this chapter shall not sell any type of alcoholic beverage or beer while such boat is docked within the boundaries of any local government that has not approved the sale of alcoholic beverages pursuant to § 57-4-103. A commercial passenger boat company may only operate out of a county that has a population:

(A) In excess of two hundred eighty-five thousand (285,000), according to the 1980 federal census or any subsequent federal census;

(B) Not less than eighty-three thousand three hundred (83,300) nor more than eighty-three thousand four hundred (83,400), according to the 1980 federal census or any subsequent federal census; or

(C) Not less than one hundred sixty thousand six hundred (160,600) nor more than one hundred sixty thousand seven hundred (160,700), according to the 2010 federal census or any subsequent federal census;

SECTION 17. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Dickerson moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 2492**, which motion prevailed by the following vote:

Ayes	26
Noes	2
Present, not voting . . .	2

Senators voting aye were: Akbari, Bailey, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Jackson, Johnson, Kelsey, Lundberg, Massey, Niceley, Powers, Reeves, Roberts, Robinson, Rose, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--26.

Senators voting no were: Bell, Hensley and Southerland--3.

Senators present and not voting were: Haile and Pody--2.

A motion to reconsider was tabled.

HOUSE AMENDMENT NO. 3

AMEND by inserting the following new section immediately preceding the last section and renumbering the last section accordingly:

SECTION __. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following new subdivision:

- () A commercially operated facility that:
 - (i) Is an event and wedding venue located on fifty-three (53) acres containing:
 - (a) A space under roof of over thirteen thousand square feet (13,000 sq. ft.) equipped with heat and air conditioning year-round;
 - (b) Six thousand five hundred square feet (6,500 sq. ft.) of paver patio;
 - (c) Sixteen thousand square feet (16,000 sq. ft.) of barefoot cozy turf;
 - (d) A covered patio of one thousand seven hundred eighty-seven square feet (1,787 sq. ft.) adjacent to the main hall; and
 - (e) A one-thousand-eight-hundred-square-foot bridal suite, and a groom's lounge with a wet bar, foosball table, and a large television;
 - (ii) Contains an equestrian center that is seven thousand square feet (7,000 sq. ft.);
 - (iii) Contains a prep kitchen with two (2) stoves, two (2) ovens, a warming box, high-capacity ice maker, sinks, work stations, and drive-up load area;
 - (iv) Operates working equine facilities of six thousand five hundred square feet (6,500 sq. ft.), including an arena, and a workshop barn that is two thousand square feet (2,000 sq. ft.); and
 - (v) Is located in a county with a population of not less than one hundred thirteen thousand nine hundred (113,900) and not more than one hundred fourteen thousand (114,000), according to the 2010 or any subsequent federal census;

Senator Dickerson moved that the Senate concur in House Amendment No. 3 to **Senate Bill No. 2492**, which motion prevailed by the following vote:

Ayes	26
Noes	3
Present, not voting . . .	2

Senators voting aye were: Akbari, Bailey, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Jackson, Johnson, Kelsey, Lundberg, Massey, Niceley, Powers, Reeves, Roberts, Robinson, Rose, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--26.

Senators voting no were: Bell, Hensley and Southerland--3.

Senators present and not voting were: Haile and Pody--2.

A motion to reconsider was tabled.

HOUSE AMENDMENT NO. 4

AMEND by inserting the following new section immediately preceding the last section and redesignating the last section accordingly:

SECTION __. Tennessee Code Annotated, Section 57-4-102(34), is amended by adding the following language as a new subdivision:

() "Sports authority facility" also means any facility located in any county with a metropolitan form of government that has a population of not less than five hundred thousand (500,000), according to the 2010 federal census or any subsequent federal census, and that is equipped with two (2) or more ice rinks designed and used for various hockey and figure skating programs for children and adults that are supervised by a major or minor league professional hockey franchise;

Senator Dickerson moved that the Senate concur in House Amendment No. 4 to **Senate Bill No. 2492**, which motion prevailed by the following vote:

Ayes	26
Noes	2
Present, not voting . . .	2

Senators voting aye were: Akbari, Bailey, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Jackson, Johnson, Kelsey, Lundberg, Massey, Niceley, Powers, Reeves, Roberts, Robinson, Rose, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--26.

Senators voting no were: Hensley and Southerland--2.

Senators present and not voting were: Haile and Pody--2.

A motion to reconsider was tabled.

MOTION

On motion of Senator Akbari, her name was added as sponsor of **Senate Bills Nos. 1796 and 2458**.

On motion of Senator Bell, his name was added as sponsor of **Senate Bill No. 2111**.

On motion of Senator Yager, his name was added as sponsor of **Senate Bill No. 2741**.

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On motion of Senator Lundberg, his name was added as sponsor of **Senate Joint Resolution No. 1348; and House Joint Resolution No. 1225.**

On motion of Senator Briggs, his name was added as sponsor of **Senate Joint Resolutions Nos. 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398 and 1399.**

On motion of Senators Gilmore and Robinson, their names were added as sponsors of **Senate Resolution No. 178.**

On motion of Senators Dickerson, Haile, Yarbrough, Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Gresham, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager and Mr. Speaker McNally, their names were added as sponsors of **Senate Resolution No. 186.**

On motion of Senator Rose, his name was added as sponsor of **House Joint Resolution No. 1213.**

On motion of Senator Stevens, his name was added as sponsor of **House Joint Resolutions Nos. 1215, 1216, 1217, 1218, 1219, 1220, 1221 and 1222.**

On motion of Senators Crowe and Southerland, their names were added as sponsors of **House Joint Resolution No. 1227.**

On motion of Senator Pody, his name was added as sponsor of **House Joint Resolutions Nos. 1231 and 1232.**

On motion of Senator Roberts, his name was added as sponsor of **House Joint Resolution No. 1242.**

ENGROSSED BILLS

June 17, 2020

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Joint Resolutions Nos. 1343, 1344, 1346, 1347, 1348, 1349, 1350, 1351, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398 and 1399; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

June 15, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2141 and 2863; substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 15, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1247; substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 15, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 2621, 2911, 2912, 2916, 2920, 2921, 2927, 2928 and 2929; passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 16, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1796; substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 16, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 1634, 1862, 1956, 2166 and 2937; substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 16, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2741; substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 16, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2884; substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

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MESSAGE FROM THE HOUSE

June 16, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2874; substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 16, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1960; substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 16, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2313, 2552, 2681 and 2843; substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 16, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2520; substituted for House Bill on same subject and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 16, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 1131, 2093, 2126, 2278, 2395, 2459, 2714, 2867, 2881, 2900, 2904, 2914 and 2926; passed by the House.

TAMMY LETZLER
Chief Clerk

WEDNESDAY, JUNE 17, 2020 -- 64TH LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

June 16, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1682; substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 16, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2381; substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 16, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2017 and 2260; substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 16, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 547, 2275, 2785 and 2910; passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 17, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2677; substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

WEDNESDAY, JUNE 17, 2020 -- 64TH LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

June 17, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2207; substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 17, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 1622, 1642, 1961, 1974, 2097, 2244, 2737 and 2771; substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 17, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 178. Senate Joint Resolution No. 178 was read for the first time Monday, June 15, 2020, it was read for the second time Tuesday, June 16, 2020 and the third reading was on Wednesday, June 17, 2020. Senate Joint Resolution No. 178 was adopted by a majority vote of the House of Representatives of the One Hundred Eleventh General Assembly, pursuant to Article XI, Section 3 of the Constitution of Tennessee.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 17, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 1672, 2033, 2136, 2669 and 2762; passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 17, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1608; substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 15, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1226, 1227, 1228, 1231 and 1232; adopted, for the Senate's action.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 16, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240 and 1241; adopted, for the Senate's action.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 17, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1242, 1243 and 1244; adopted, for the Senate's action.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

April 23, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 226. House Joint Resolution No. 226 passed first reading as amended April 18, 2018, second reading as amended April 19, 2018, third and final reading and adopted by a majority of the members of the One Hundred Tenth General Assembly on April 23, 2018, pursuant to Article XI, Section 3 of the Constitution of Tennessee.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

June 15, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 1330, 1331, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342 and 1355; concurred in by the House.

TAMMY LETZLER
Chief Clerk

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MESSAGE FROM THE HOUSE

June 16, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 1356; concurred in by the House.

TAMMY LETZLER
Chief Clerk

ENROLLED BILLS

June 15, 2020

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Resolutions Nos. 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174 and 181; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON
Deputy Chief Clerk

ENROLLED BILLS

June 16, 2020

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 1330, 1331, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342 and 1355; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON
Deputy Chief Clerk

ENROLLED BILLS

June 17, 2020

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bills Nos. 1634, 1862, 1956, 2017, 2141, 2166, 2260, 2313, 2520, 2552, 2681, 2843, 2863 and 2937; and Senate Joint Resolution No. 1356; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

June 15, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1193, 1194, 1195, 1196 and 1197; for the signature of the Speaker.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 15, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1198, 1199, 1200, 1201, 1202, 1204, 1205, 1206, 1207, 1212 and 1214; for the signature of the Speaker.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 16, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 1708, 1750, 2255, 2461, 2586, 2588 and 2909; for the signature of the Speaker.

TAMMY LETZLER
Chief Clerk

SIGNED

June 15, 2020

The Speaker announced that he had signed the following: Senate Resolutions Nos. 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174 and 181.

SIGNED

June 16, 2020

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1204, 1205, 1206, 1207, 1212 and 1214.

SIGNED

June 16, 2020

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 1330, 1331, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342 and 1355.

SIGNED

June 17, 2020

The Speaker announced that he had signed the following: Senate Joint Resolution No. 1356.

SIGNED

June 17, 2020

The Speaker announced that he had signed the following: Senate Bills Nos. 811, 1009, 1559, 1616, 2119, 2269, 2317, 2620, 2821 and 2826; and House Bills Nos. 1708, 1750, 2255, 2461, 2586, 2588 and 2909.

SIGNED

June 17, 2020

The Speaker announced that he had signed the following: House Bills Nos. 1642, 2028, 2120, 2266 and 2907.

SIGNED

June 17, 2020

The Speaker announced that he had signed the following: Senate Bills Nos. 1634, 1862, 1956, 2141, 2166, 2260, 2313, 2520, 2552, 2681, 2843, 2863 and 2937.

SIGNED

June 17, 2020

The Speaker announced that he had signed the following: Senate Bill No. 2017.

MESSAGE FROM THE HOUSE

June 17, 2020

MR. SPEAKER: I am directed to transmit to the Senate, Senate Bill No. 2381. The House refused to recede from its action in adopting House Amendment No. 2.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 17, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2932. The House acceded to the request of the Senate for the appointment of a Conference Committee. The Speaker appointed a Conference Committee composed of Reps. Lynn, Hazlewood, Hill (Washington), Hicks, Lamberth, Love and Staples to confer with a like committee from the Senate in open conference to resolve the differences between the Bodies on Senate Bill No. 2932.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 17, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2935. The House acceded to the request of the Senate for the appointment of a Conference Committee. The Speaker appointed a Conference Committee composed of Reps. Lynn, Hazlewood, Hill (Washington), Hicks, Lamberth, Love and Staples to confer with a like committee from the Senate in open conference to resolve the differences between the Bodies on Senate Bill No. 2935.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 17, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2931. The House acceded to the request of the Senate for the appointment of a Conference Committee. The Speaker appointed a Conference Committee composed of Reps. Lynn, Hazlewood, Hill (Washington), Hicks,

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Lamberth, Love and Staples to confer with a like committee from the Senate in open conference to resolve the differences between the Bodies on Senate Bill No. 2931.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 15, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2667; signed by the Speaker.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 15, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 1318; signed by the Speaker.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 16, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 1330, 1331, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342 and 1355; signed by the Speaker.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 17, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 1356; signed by the Speaker.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 17, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 811, 1009, 1559, 1616, 2119, 2269, 2317, 2620, 2821 and 2826; signed by the Speaker.

TAMMY LETZLER
Chief Clerk

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MESSAGE FROM THE HOUSE

June 17, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 1634, 1862, 1956, 2017, 2141, 2166, 2260, 2313, 2520, 2552, 2681, 2843, 2863 and 2937; signed by the Speaker.

TAMMY LETZLER
Chief Clerk

REPORT OF DEPUTY CHIEF CLERK

June 15, 2020

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bill No. 2667; for his action.

ALAN WHITTINGTON
Deputy Chief Clerk

REPORT OF DEPUTY CHIEF CLERK

June 15, 2020

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolution No. 1318; for his action.

ALAN WHITTINGTON
Deputy Chief Clerk

REPORT OF DEPUTY CHIEF CLERK

June 16, 2020

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 1330, 1331, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342 and 1355; for his action.

ALAN WHITTINGTON
Deputy Chief Clerk

MESSAGE FROM THE GOVERNOR

June 15, 2020

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bill No. 2667; with his approval.

LANG WISEMAN,
Deputy & Counsel to the Governor

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MESSAGE FROM THE GOVERNOR

June 16, 2020

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolution No. 1318; with his approval.

LANG WISEMAN,
Deputy & Counsel to the Governor

MESSAGE FROM THE GOVERNOR

June 15, 2020

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 543, 1597, 1626, 1638, 1667, 1733, 1887, 1923, 2066, 2189, 2423, 2629 and 2836; and Senate Joint Resolutions Nos. 841, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1311, 1312, 1313, 1314, 1316, 1317 and 1345; with his approval.

LANG WISEMAN,
Deputy & Counsel to the Governor

ADJOURNMENT

Senator Johnson moved the Senate adjourn until 1:00 p.m., Thursday, June 18, 2020, which motion prevailed.